

SC NAACP v. Alexander,
D.S.C. Case No. 3:21-cv-03302-MGL-TJH-RMG

EXHIBIT A

1 UNITED STATES DISTRICT COURT DISTRICT OF SOUTH
2 CAROLINA COLUMBIA DIVISION
3

4 Case No.: 3:21-cv-03302-JMC-TJH-RMG
5

6 THE SOUTH CAROLINA STATE CONFERENCE OF THE NAACP,
7 And TAIWAN SCOTT, on behalf of himself and all
8 other similarly situated persons,
9

10 Plaintiffs,

11 v.
12

13 HENRY D. MCMASTER, in his official capacity as
14 Governor of South Carolina; HARVEY PEELER, in his
15 official capacity as President of the Senate;
16 LUKE A. RANKIN, in his official capacity as
17 Chairman of the Senate Judiciary Committee; JAMES
18 H. LUCAS, in his official capacity as Speaker of
19 the House of Representatives; CHRIS MURPHY, in
20 his official capacity as Chairman of the House of
21 Representatives Judiciary Committee; WALLACE H.
22 JORDAN, in his official capacity as Chairman of
23 the House of Representatives Elections Law
24 Subcommittee; HOWARD KNABB, in his official
25 capacity as interim Executive Director of the

1 South Carolina State Election Commission; JOHN
2 WELLS, JOANNE DAY, CLIFFORD J. ELDER, LINDA
3 MCCALL, and SCOTT MOSELEY, in their official
4 capacities as members of the South Carolina State
5 Election Commission,

6
7 Defendants.

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1 UNIDENTIFIED SPEAKER: Hand it to
2 Jordan.

3 SPEAKER LUCAS: (Inaudible) hand it to
4 him.

5 REPRESENTATIVE KING: (Inaudible)
6 lawyer to my (inaudible).

7 SPEAKER LUCAS: You ready?

8 CLERK REID: Yes, sir. Sorry about
9 that (inaudible).

10 SPEAKER LUCAS: No, it's all right.
11 It's all right.

12 CLERK REID: (Inaudible).

13 SPEAKER LUCAS: (Inaudible) so,
14 (inaudible). Okay. Well, let me -- let me
15 see (inaudible). (Inaudible) make one.
16 Clerk will read. House will be in order,
17 you may want to hear this.

18 CLERK CROMER: House Resolution by the
19 Rules Committee, Committee Bill setting for
20 special order Senate 865. This is House
21 Resolution 4781.

22 SPEAKER LUCAS: Members, this is House
23 Resolution 4081, setting for special order,
24 Senate Bill 865. I'm going to repres-- I'm
25 going to recognize Ms. Thayer to explain the

1 resolution. Ms. Thayer is recognized. The
2 House will come to order.

3 REPRESENTATIVE THAYER: Thank you so
4 much, Mr. Speaker. As you know in the past,
5 when we've talked about redistricting, we've
6 come before you and we've set that for
7 special order. And we're here to do that
8 today as well. Today of course, we'll be
9 discussing the congressional lines, once we
10 pass the special order, --

11 CLERK CROMER: Thank --

12 REPRESENTATIVE THAYER: -- if it
13 passes, then we will take it up immediately.
14 Thank you.

15 SPEAKER LUCAS: Thank you, Ms. Thayer.
16 Pending question -- pending question -- yes,
17 sir?

18 CLERK CROMER: Mr. Hill.

19 SPEAKER LUCAS: Yes sir, Mr. Hill?

20 REPRESENTATIVE HILL: Thank you, Mr.
21 Speaker. I was wondering, I'm not seeing
22 this on our dashboard, and I don't have a
23 copy of it, would it be possible to have
24 this read?

25 SPEAKER LUCAS: Is it -- is --? So,

1 Mr. Hill, it's not a bill, it's a
2 resolution. We don't have to read it; I'm
3 going to read it. That H. 865, relating to
4 the Bill to establish districts from which
5 the members of the congressional districts
6 are elected, beginning with the 2022 general
7 election, is set by special order for second
8 reading consideration on Wednesday, January
9 12th, 2022, immediately following adoption
10 of the special-order resolution. And to
11 provide following the roll call on each
12 legislative day thereafter, for continuing
13 special order consideration until S. 865 is
14 given third reading or other disposition.

15 That's the resolution from the Rules
16 Committee. The pending question is the
17 adoption of the resolution. All in favor
18 say, "aye."

19 ALL: Aye.

20 SPEAKER LUCAS: Opposed, no? The aye's
21 have it. All right, members if you would
22 turn to your calendar, we're on page two --
23 the middle of page two, that's Senate Bill
24 865, relating to congressional
25 reapportionment. Mr. Jordan? Wait a minute

1 -- hold --

2 CLERK CROMER: The Amendment.

3 SPEAKER LUCAS: All right, we have an
4 amendment on the desk, it's Amendment 1.
5 The Amendment is from the Judiciary
6 Committee. I'm going to recognize Mr.
7 Jordan to explain the Amendment.

8 CLERK REID: (Inaudible).

9 CLERK CROMER: Yes, sir.

10 SPEAKER LUCAS: Hold on a minute.
11 (Inaudible) Amendment 1, it's a committee
12 amendment. Mr. Jordan is recognized to
13 explain the Amendment. House will be in
14 order. Members are going to want to hear
15 this. Mr. Jordan is recognized.

16 REPRESENTATIVE JORDAN: Thank you, Mr.
17 Speaker. As you all know, I've had the
18 privilege of chairing the Redistricting Ad
19 Hoc Committee. I want to recognize my
20 colleagues today, Representative Henegan,
21 Representative (Inaudible) are you pointing
22 at me, or are you --?

23 UNIDENTIFIED SPEAKER 2: No. We can't
24 hear.

25 UNIDENTIFIED SPEAKER 3: We can't hear

1 back there.

2 REPRESENTATIVE JORDAN: Representative
3 Henegan, Representative Bernstein,
4 Representative Newton, Representative
5 Elliott, Representative Bamberg,
6 Representative -- and Representative
7 Collins. I can tell you, members, that
8 we've spent the last five months working on
9 the very important task of redistricting on
10 behalf of the House. I want to thank them
11 for all their hard work over these past
12 several months, as well as our staff, and
13 other members who have assisted in this
14 process.

15 I am pleased to be here presenting the
16 final component of South Carolina's
17 redistricting plans, for this, the United
18 States congressional districts. The Ad Hoc
19 Committee was responsible for providing this
20 body with a framework for redistricting
21 these seven congressional districts,
22 following a release of the 2020 census data.
23 Which we are here, of course, to take up
24 today, just as we did for the House
25 districts that were recently enacted. As

1 you all just recently went through a similar
2 process for the House districts, you are
3 well aware that this is a very challenging,
4 time consuming, but also vitally important
5 issue for our state, so that we can or-- in
6 order to protect the one person, one vote
7 ideal in South Carolina's seven United
8 States congressional districts. The same
9 ideal that get -- that guided our
10 development of the 124 House districts. I
11 firmly believe that the plan that has been
12 advanced here today accords with that goal,
13 and other -- the other guidelines and
14 criteria that I will talk to you about this
15 afternoon.

16 Let me first provide the House
17 membership with an update on the activities
18 of the Ad Hoc Committee, that ultimately led
19 to the -- to the development of this
20 proposed plan. For those members that are
21 like me and have not gone through prior
22 redistricting -- a prior redistricting
23 cycle, it is important to understand that
24 this process would have, of course, begun
25 much sooner, but largely due to the

1 (inaudible) -- due to the disruption of the
2 pandemic, the United States Census Bureau
3 was delayed by several months in its release
4 of the 2020 census data. Which of course
5 impacted the timing of redistricting here in
6 South Carolina.

7 While the census results are usually
8 released in the spring, the Census Bureau
9 did not provide the public raw data in its
10 final format to the states until September
11 16th of 2021. We could not begin the
12 mechanics of actually examining the
13 population changes and drawing new districts
14 until we had that data. Now, although the
15 final data was delayed several months, the
16 Ad Hoc Committee was formed, and we started
17 right on in the process in early August. As
18 you can see, as I listed out earlier, a bi-
19 partisan membership was asked to work the
20 front lines of redistricting. My colleagues
21 represent constituents across the state.
22 Representative Henegan from District 54,
23 representing Chester, Darlington, and
24 Marlboro. Representative Collins, from
25 District 5, representing Pickens.

1 Representative Elliott, from District 22,
2 representing Greenville. Representative
3 Bamberg, from District 90, representing
4 Bamberg, Barnwell, and Colleton.
5 Representative Newton, from District 120,
6 representing Beaufort and Jasper.
7 Representative Bernstein, from right here in
8 Richland County, in District 78. And of
9 course, District 63, which I represent in
10 Florence. I think our process benefited
11 greatly from the composition of this
12 committee, and each and every one of us put
13 in countless hours, and thousands of miles
14 in our work on redistricting.

15 Going back to August, the Ad Hoc
16 Committee first met to adopt the 2021
17 redistricting criteria and guidelines that
18 would be used in the process, drawing both
19 the 124 House districts and the seven
20 congressional districts. Then in early
21 September, we undertook the task of
22 traveling throughout the state, to meet with
23 South Carolinians and hear from them
24 directly and in person, about what was
25 important to them and their communities, as

1 we worked on the maps. These public hearing
2 were held in 10 cities across the state,
3 beginning in Myrtle Beach, then onto
4 Florence, Rockhill, Greenville, North
5 Charleston, Bluffton, Aiken, Greenwood, and
6 Orangeburg. Finally, before coming to
7 Columbia and holding two hearings here in
8 the Block Building, so that we can
9 accommodate virtual participation. We heard
10 from many individual citizens, as -- and
11 also, a number of our colleagues who came to
12 speak, and the Committee very much
13 appreciated the active participation in the
14 public, as well as our colleagues.

15 The issue raised during these hearings
16 were important, in order to fully consider
17 both the House and the congressional
18 districts. And we took note and paid in--
19 paid great attention to what South
20 Carolinians had to say. We also received
21 hundreds of pages of written testimony from
22 the public on both staff plans, as well as
23 the plans submitted by the public. Our
24 staff, let me tell you, they did a
25 phenomenal job. They worked hard to keep

1 the House website updated with all the
2 information activities that related to
3 redistricting. And I commend them for their
4 hard work and commitment to the process.

5 With all the testimony, written
6 submissions, maps from the public, it was
7 then our primary task to account for the
8 population changes in South Carolina since
9 2010 and address the ways in which our
10 current House and congressional districts no
11 longer accorded with the necessary,
12 constitutional and legal principles. The
13 census data revealed that while South
14 Carolina continues to grow and attract new
15 residents, the growth is not consistent
16 across the state, and there were significant
17 movements in population densities in that
18 last ten years. For example, the suburbs of
19 Charlotte are pushing South, and spilling
20 into Northern York and Lancaster Counties,
21 and there has been tremendous growth in that
22 area. As with the coastal areas, such as
23 Myrtle Beach and Charleston, also tremendous
24 growth. However, we learned that there were
25 areas of our state that lost significant

1 amounts of population. These movements
2 impacted a number of districts, which meant
3 we had work to do to bring House and
4 congressional districts into conformance
5 with our principles of equality.

6 Now, let me speak for a moment on these
7 principles. I've mentioned a couple times,
8 I'm sure you all know, that when it comes to
9 the task of redistricting there are in fact
10 overriding constitutional mandates that
11 guide our work. The equal population clause
12 of the United States Constitution, which
13 requires apportionment of representatives on
14 a population basis, and the 14th Amendment's
15 equal protection clause, which requires that
16 we make an honest and good faith effort to
17 construct legislative districts as nearly of
18 equal population as is practicable. The
19 redistricting of congressional districts,
20 however, do not allow for the small
21 deviations as the legislative districts, and
22 every effort must be made to achieve strict
23 equality of population. The congressional
24 districts proposed are within a deviation of
25 one person from that ideal.

1 I will tell you, it is extremely
2 difficult to balance districts with hundreds
3 of thousands of people within one person of
4 that ideal, using census blocks that are
5 determined by the Census Bureau. And I
6 remind you that that's a determination
7 beyond our control. In addition to those
8 Federal Constitutional mandates, our South
9 Carolina Constitution mandates free and
10 equal elections. And the Voting Rights Act
11 prohibits voting practices that discriminate
12 on the basis of race, color, or membership
13 in a language minority group. With these
14 federal and state principles in mind, and
15 prioritized in our process, the 2021
16 redistricting guidelines and criteria also
17 incorporated the redistricting principles
18 that you heard me mention before.
19 Compactness, contiguity, respect--
20 respecting of communities of interest, as
21 well as incumbency considerations.

22 Our 2021 guidelines were modeled from
23 the 2011 guidelines, and took into
24 consideration important court decisions,
25 such as the Federal District Court in

1 Colleton County Council v. McConnell. As we
2 worked on these maps, we strove to maintain
3 county boundaries when possible, and I will
4 tell you particularly true of smaller
5 counties. We also tried to minimize splits
6 in precincts such as in cities and voting
7 precincts. I realize, it may seem easy to
8 improve lines and divisions when focused on
9 one area or region, but it has been our job,
10 and is not this body's job, to consider the
11 entire state. And when an improvement of --
12 on point A leads to disruptions of point B
13 through G, I would argue that's not really
14 an improvement, or certainly not one that we
15 can adopt.

16 So, based on the 2020 census results,
17 the ideal population for each of the
18 congressional districts is 731,204. The
19 population changes I discussed meant that
20 Congressional District 1 was nearly 12%
21 above the ideal population, and
22 Congressional District 6 was more than 11.5%
23 under the ideal population. The remaining
24 congressional districts were within four
25 percent of the ideal population. This

1 allowed us to use the same general district
2 boundaries as ten years ago, with some
3 adjustments to account for those population
4 shifts I referenced earlier. This mainly
5 occurred in District 1 and District 6, which
6 had the most significant population changes,
7 but could be nearly balanced between each
8 other.

9 While I think it's self-evident, let me
10 explain for the record that the Ad Hoc
11 Committee, and the Judiciary Committee chose
12 to focus on and pursue a plan for the House
13 districts before turning to the
14 congressional districts. We certainly
15 solicited and collected public input on both
16 maps throughout the process, but in terms of
17 our time and attention in drawing new maps,
18 we worked on and developed the House plan,
19 before picking up the task for Congress.

20 To provide further background specific
21 to the congressional maps, I want to explain
22 the timeline the Ad Hoc Committee -- of the
23 Ad Hoc Committee, and the Judiciary
24 Committee, that has brought us to this
25 point. The House plan was approved by the

1 House on December 6th, 2021. The map
2 recommended by the Ad Hoc Committee
3 underwent several amendments before the
4 final version was adopted. Following a
5 proposed amendment by the Senate to include
6 the Senate's plan for its legislative
7 districts, we concurred on December 9th, and
8 H. 4493 was sent to Governor McMaster. On
9 December 13th, the Ad Hoc Committee posted
10 an initial staff draft plan --

11 SPEAKER LUCAS: Mr. Jordan, let me
12 interrupt you just a minute.

13 REPRESENTATIVE JORDAN: Yes, sir.

14 SPEAKER LUCAS: House will be in order.

15 UNIDENTIFIED SPEAKER 4: Thank you, Mr.
16 Speaker.

17 SPEAKER LUCAS: House will be in order
18 and continue to be in order. Mr. Jordan?

19 UNIDENTIFIED SPEAKER 4: Thank you, Mr.
20 Speaker.

21 REPRESENTATIVE JORDAN: Thank you, Mr.
22 Speaker. On December 13th, the Ad Hoc
23 Committee posted an initial staff draft plan
24 for the congressional districts, as well as
25 the Senate's staff plan, as a point of

1 comparison, in order that we could receive
2 input on a congressional plan. The Senate
3 had previously released its staff plan in
4 November, and it's Redistricting Committee
5 held a hearing to receive public comments
6 just after Thanksgiving. The initial staff
7 plan posted by the Ad Hoc Committee on
8 December 13th, presented a fairly
9 significant change to the landscape of South
10 Carolina's congressional districts. While
11 the Senate's plan, more closely resembled
12 the congressional districts that were
13 enacted ten years ago.

14 On December 16th, the Ad Hoc Committee
15 held a hearing to receive feedback and take
16 public testimony, regarding the initial
17 staff plan, as well as the Senate's staff
18 plan. We did not take any formal action at
19 that meeting, and instead allowed time for
20 further input from the public and interested
21 parties. From there, the Committee receive-
22 - ended up receiving hundreds of pages of
23 written testimony concerned about, and
24 vocally objecting to, the proposed movement
25 of Beaufort County back into District 2,

1 after having been in District 1 for the past
2 ten years. I'm not talking about a few
3 emails are a couple letters, it was sub-- a
4 substantial -- I was a high volume of
5 testimony to that affect. My understanding
6 is Representative Newton would personally
7 attest to a significant volume of emails,
8 and concerns he received as a representative
9 of Beaufort County. The sheer volume of
10 comments was vastly -- excuse me, the sheer
11 volume of comments vastly outnumbered those
12 received from any other region of the
13 proposed map.

14 On December 22nd, the Ad Hoc Committee
15 posted a second plan, which we have all
16 called, "Staff Alternative Plan 1," which
17 sought to address the comments and concern
18 raised to us, such as in Beaufort County.
19 And also, more closely aligns with the
20 Senate's original staff draft plan, and as a
21 result of the configuration of the
22 congressional districts as approved by the
23 2011 plan.

24 Again, I think it's important to take
25 into consideration that unlike our House map

1 -- House map, the congressional map is the
2 one that we must undertake together with our
3 colleagues in the Senate. We do not have
4 total autonomy over this map, and without
5 agreement we would have been unable to adopt
6 a congressional plan. That said, we believe
7 altern-- our alternative plan makes several
8 improvements to the Senate's original draft
9 plan, including unifying Calhoun,
10 Orangeburg, and Jasper Counties.

11 On to December 29th, the Ad Hoc
12 Committee hold a second hearing, dedicated
13 to the congressional plans, in order to
14 receive further public input on both plans
15 that had been put forward by the Committee.
16 Again, -- again, at this hearing we took no
17 action, and continued to receive written
18 testimony through January the 9th of '22.
19 The submissions were received, and again, a
20 significant amount of feedback from the
21 residents of Beaufort, this time supporting
22 the Second, or Alternative Plan, which
23 retained Beaufort County in District 1.

24 On Monday, January 10th, the Ad Hoc
25 Committee convened for a third time on the

1 plan for congressional districts, and voted
2 to amend S. 865 with what is called, "the
3 Staff Alternative Plan 1," and gave it a
4 favorable report to Ju-- to Judiciary on
5 House 4492. From there, the Judiciary
6 Committee voted in favor of advancing 4492
7 to this body, and we are here today.

8 Unlike the House plan, we did not
9 receive any proposed amendments, and I am
10 not aware of any members requesting
11 amendments to either of the proposed
12 congressional maps between December 13th and
13 today. There was certainly good discussion
14 within the committees earlier this week.
15 And hearing from my colleagues and taking to
16 heart their concerns, I still firmly believe
17 that the plan presented here is the
18 necessary next step to achieve the
19 fundamental, constitutional goal -- thank
20 you --

21 CLERK CROMER: Uh-huh.

22 REPRESENTATIVE JORDAN: -- of equality
23 in voting, and in a -- and is in accordance
24 with the guidelines and criteria adopted for
25 this redistricting cycle, and complies with

1 the United States Constitution, the South
2 Carolina Constitution, as well as federal
3 and state law.

4 We worked to incorporate concerns from
5 citizens and communities across South
6 Carolina and tried to account for
7 communities of interest. The proposed
8 congressional districts generally adhere to
9 the previous boundaries that were
10 sufficiently contiguous and compact, to be
11 approved by the Department of Justice and
12 past judicial scrutiny in 2011. I would
13 also argue that we made important
14 improvements by unifying counties, such as
15 Newberry and Orangeburg, from that 2011
16 plan. Our proposed congressional plan keeps
17 all but 10 counties and seven voting
18 precincts whole, which are all improvements
19 over 2000-- over the 2011 plan.

20 The plan before you also provides, or
21 improves, the compactness of District 2
22 versus what was first proposed in the
23 initial staff plan. It keeps the coastal
24 communities of Hilton Head and Charleston
25 together, which encompasses many shared

1 social, economic, and environmental
2 interests. This is evidence by the public
3 input. Further, this plan reduces the
4 numbers -- the number of points into
5 Charleston County from District 6.

6 Also, let me Address some of the
7 questions posed by the Committee members
8 earlier this week. We heard concerns to the
9 effect that the second map posted was a
10 replacement, and somehow took the place of
11 the first map. The two maps were at all
12 times on the same footing. We simply drew a
13 second map, that offered an alternative
14 version of redistricting for the
15 congressional districts. Both of these maps
16 were to be considered, and in my view, were
17 considered by the public, by our members,
18 and ultimately, by the Ad Hoc Committee.
19 Unlike the House District plan, we did not
20 receive any amendments or proposed
21 alternative maps from House members. The Ad
22 Hoc Committee convened three times, and
23 Staff Alternative Plan 1 was the -- was the
24 one that was offered for vote, and was
25 passed by the Ad Hoc Committee, and later

1 the Judiciary Committee.

2 Regarding the process concerns, both of
3 the maps posted by the Ad Hoc Committee
4 followed the same process. We sought and
5 considered public input into the
6 congressional district plans. We were
7 guided by the same procedural and
8 substantiative rules, and were deliberative
9 and allowing time for a receipt, as well as
10 consumption of the proposals before our
11 third and final meeting. The Committee was
12 ready and available to hear concerns from
13 any and every interested person, and the
14 fact of the matter is that we received
15 hundreds of pages of written submissions
16 regarding the movement of Beaufort County
17 into District 1. We did not make special
18 accommodations for Beaufort County, but we
19 certainly were attentive to the large-scale
20 public response, and took it into
21 consideration along with the original option
22 that had been presented by the Senate in
23 mid-December. The Alternative Plan 1 was an
24 option that bridged the Senate's draft plan,
25 but still made several improvements over

1 both the Senate and the 2011 plans, as I
2 noted earlier, by unifying several counties
3 and voting precincts.

4 Let me also say in response to the
5 criticism about the racial makeup of this
6 plan. I heard concerns, and still believe,
7 that the statistics refute the criticisms.
8 These are difficult and important issues we
9 face, but let me be clear, our proposed map,
10 and our entire process, was not motivated or
11 dominated by any discriminatory intent. We
12 face undeniably -- we face an undeniably
13 political process with an overriding goal of
14 equality in voting rights. The
15 Congressional District Plan does not, I
16 repeat, does not pack District 6 with
17 minority voters, as we heard from this week.
18 The data shows that the percentage of black
19 voting age population it's actually 8% less
20 than it was 10 years ago in District 6. We
21 have been widely criticized by some public
22 interest groups, and yet the congressional
23 maps submitted by those groups do not offer
24 superior alternatives, including for
25 District 6.

1 We, as representatives, do not have
2 control over who chooses to make South
3 Carolina their home, and where that home is
4 made. Our state is compromised [sic] of
5 roughly 25% black voting age population --
6 of a population total across the state.
7 This proposed plan provides three
8 congressional districts that are roughly 25%
9 black voting age population, which is
10 reflective of the overall percentage of
11 black voting age population across the
12 state. The allegations of discrimination
13 and harm, that I heard earlier this week,
14 are simply not supported by either the facts
15 or the data.

16 I appreciate having had the opportunity
17 to chair this important Ad Hoc Committee.
18 It was a -- I can say -- I've said many
19 times, it is truly a learning experience
20 like no other. I believe the plan before
21 you adheres to the Ad Hoc Committee's
22 criteria, to the guidelines, to the one
23 person one vote principle, and I encourage
24 you each to vote in favor of it. Thank you
25 so much for your time.

1 SPEAKER LUCAS: Will you take
2 questions, Mr. Jordan?

3 REPRESENTATIVE JORDAN: Yes, sir.

4 SPEAKER LUCAS: Mr. King is recognized
5 for a question. Mr. Pope?

6 REPRESENTATIVE KING: Thank you, Mr.
7 Speaker. I have a question in reference to
8 the makeup of the Committee. You mentioned
9 that there were members from each
10 Congressional District, am I correct?

11 REPRESENTATIVE JORDAN: So, initially,
12 there was a member from each congressional
13 committee. Representative Brandon Newton,
14 who was originally on the Committee -- I
15 don't think he would mind me saying -- he
16 was blessed with a -- the birth of his first
17 child. And that process came along about
18 the time, and it simply had -- he simply had
19 to withdraw from his service on the
20 Committee as a result of that obligation.
21 Certainly, him driving across the state over
22 a period of weeks, while he had a new baby
23 on the way or at home, I can tell you --

24 REPRESENTATIVE KING: So, -- so, --

25 REPRESENTATIVE JORDAN: -- I --

1 REPRESENTATIVE KING: -- my question, -

2 -

3 REPRESENTATIVE JORDAN: -- look, just -

4 - I'm --

5 REPRESENTATIVE KING: Yes.

6 REPRESENTATIVE JORDAN: -- about to

7 wrap it up.

8 REPRESENTATIVE KING: No, no, no

9 (inaudible). No, you're fine.

10 REPRESENTATIVE JORDAN: He was unable

11 to be a part of the meet-- part of the team,

12 and therefore we had all but one district

13 represented as a result --

14 REPRESENTATIVE KING: So, do you know -

15 -

16 REPRESENTATIVE JORDAN: -- (inaudible)

17 withdraw.

18 REPRESENTATIVE KING: -- who actually

19 looked at Congressional District 5, that was

20 from our area? Or who -- or any of my

21 delegation members, or -- when I say

22 delegation, from Congressional District 5,

23 that you all spoke to in the -- in concern

24 of how we wanted to see the makeup of our

25 Congressional District? That's one

1 question. Mr. Chair, as --

2 REPRESENTATIVE JORDAN: (Inaudible).

3 REPRESENTATIVE KING: -- the chair of
4 the Committee, did you know that there were
5 other members who were on Judiciary that are
6 from Congressional District 5? And then,
7 when Mr. Newton was unable to be a part of
8 the Committee, that you all could have
9 appointed to have that voice? So, there was
10 a -- there was a void from Congressional
11 District 5, did you know that?

12 REPRESENTATIVE JORDAN: I disagree that
13 there was a void. I will tell you that --
14 and this is absolutely no criticism of
15 Representative Newton, having three children
16 myself, I -- he absolutely made the right
17 decision to be where he needed to be. But
18 I'll tell you this, this was truly a team --

19 REPRESENTATIVE KING: Mr. Chairman, --

20 REPRESENTATIVE JORDAN: -- let --

21 REPRESENTATIVE KING: -- I -- with all
22 due respect --

23 REPRESENTATIVE JORDAN: -- if you don't
24 mind, I would like to finish the question.

25 REPRESENTATIVE KING: Okay, no problem.

1 REPRESENTATIVE JORDAN: Finish -- and I
2 -- certainly, we -- I'll stay as long as you
3 want. But I would -- I would argue that it
4 really was a team effort in this process.
5 Looking at the congressional districts, we
6 didn't divide up the congressional areas and
7 say, "you work on this one from --" because,
8 you know, Representative Henegan and I
9 didn't go work on District 7 by ourselves,
10 necessarily. We -- it was a team effort
11 that we all participated in the process,
12 because at the end of the day, the entire
13 Committee had to vote on the overall map.
14 We didn't go district by district, approving
15 this one and that one, we had to unify the
16 map, because it does all have to connect up.
17 As I said, when you're trying to get every
18 single district to be equal pop-- equally
19 populated, as required by the law, it takes
20 a team atmosphere and effort.

21 And of course, I would also say,
22 Representative King, as you heard me list --
23 and I think you attended the meeting in your
24 area, if I'm correct -- remembering
25 correctly in Rockhill. There were -- just

1 because you weren't on the Committee, there
2 were ample opportunities for everyone in
3 this room, as well as constituents and
4 members -- and the population of South
5 Carolina to participate.

6 REPRESENTATIVE KING: Well, granted I
7 understand what you're saying, but when it
8 came down to a voice from Congressional
9 District 5, there was a void. And the
10 reason why I say there was a void is because
11 we did not have one vote on that committee,
12 when you all submitted it from subcommittee
13 to full committee, which means there was a
14 void of our voice and our vote in the map.
15 The way it was drawn, (inaudible) it was the
16 House map, or the congressional map. And we
17 had ample opportunity, because Mr. Newton
18 informed you all early on that he was unable
19 to participate. Did you know Mr. Jordan,
20 that I am the senior member of Judiciary, as
21 well as I'm the -- one of, probably, the
22 only members that have gone through
23 redistricting? Did you know that?

24 REPRESENTATIVE JORDAN: I knew -- I
25 certainly know you are on Judiciary, having

1 sat near you for a number of -- number of
2 years.

3 REPRESENTATIVE KING: Well, I will say,
4 and I've said publicly, that I believe
5 Congressional District 5 did not have a
6 voice, in reference to a vote, on the
7 Committee. And as my colleague from my
8 Congressional District had a very, very
9 important obligation, I believe it was
10 prudent on this body to have appointed
11 someone, from Congressional District 5, to
12 be on that committee. Also, did you know
13 that Congressional District 5, the way it is
14 drawn, may not be what we want in our
15 congressional area? No one that I know of
16 spoke with me. I'm not sure if you spoke to
17 my other delegation members from the
18 Congressional District, but I -- me, being
19 one of the only African Americans in that
20 Congressional District, me and Annie
21 McDaniel, I'm pretty sure you did not speak
22 with her either. So, I -- I would say that,
23 you know, --

24 REPRESENTATIVE JORDAN: May I -- may I
25 respond --

1 REPRESENTATIVE KING: -- the input --

2 REPRESENTATIVE JORDAN: -- to that?

3 REPRESENTATIVE KING: -- the input from
4 the Congressional District, and especially
5 the minorities in the Congressional
6 District, were not heard. Did you know
7 that?

8 REPRESENTATIVE JORDAN: Mr. King, what
9 I would say is this was a process that we
10 went to great lengths to make as transparent
11 as possible. I evidenced that by the fact
12 that we traveled all over the state, the
13 fact any member of this body had the
14 opportunity to create an amendment, if they
15 didn't like the version that was put before.
16 And as I said before, to my knowledge, I
17 don't think a single amendment was actually
18 put forward to say, "if this doesn't work
19 let's try something else." That's the
20 process that we go through, you know, this
21 process is not unique. Just because we're
22 drawing a map, doesn't mean it's not subject
23 to the amendment process. And I would say,
24 if there were concerns, there was a process
25 to deal with those concerns. Whether it was

1 presenting before the Ad Hoc Committee, if
2 you were on Judiciary, bringing those
3 concerns -- which I know you did bring some
4 concerns to the Committee -- but an
5 amendment opportunity was available there,
6 as is -- as is -- has been to this time.

7 REPRESENTATIVE KING: Well, I
8 appreciate you taking my questions. And I
9 hope that, not only colleagues within this
10 room, but the folk that are listening to us,
11 understand that I don't believe that this
12 process was done fair for the people for
13 Congressional District 5. We did not have a
14 voice or a vote on that committee. And so,
15 I'm -- I stand up for my Congressional
16 District, and the voice that we lacked on
17 that committee. Thank you, Mr. Chairman.

18 SPEAKER LUCAS: Ms. -- Ms. Cobb-Hunter
19 is recognized.

20 REPRESENTATIVE COBB-HUNTER: Thank you.
21 Thank you, Mr. Speaker. Mr. Jordan, thank
22 you for your work, thank you for your
23 committee's work. Just got a couple of
24 questions, if I may, regarding the
25 congressional map. And I don't know quite

1 what Mr. Hill was saying, but did you know
2 how difficult it is for us to follow what
3 you've described when we don't have anything
4 up there to look at?

5 REPRESENTATIVE JORDAN: So, I can
6 certainly understand that I just walked you
7 through essentially more than five months,
8 or approximately five months' worth of
9 process and material.

10 REPRESENTATIVE COBB-HUNTER: Uh-huh.

11 REPRESENTATIVE JORDAN: So, I can
12 certainly understand that unless you were
13 paying incredibly close attention, it would
14 be difficult to digest it all. And
15 certainly, I can answer -- or attempt to
16 answer, any question you have to anything
17 that I've explained over these last 20
18 minutes or so. And if --

19 UNIDENTIFIED SPEAKER 5: It's also on
20 the redistricting website.

21 REPRESENTATIVE JORDAN: -- and I
22 believe it's also available on the website,
23 and if you have a copy.

24 REPRESENTATIVE COBB-HUNTER: Well, it
25 would have been nice to have it up there, so

1 that we could reference it. I appreciate
2 your staff bringing me a copy now, but
3 that's --

4 REPRESENTATIVE JORDAN: Yes, ma'am.

5 REPRESENTATIVE COBB-HUNTER: -- neither
6 here nor there, quite frankly, after the
7 fact. My question, specifically, regards to
8 the 6th Congressional District. I heard you
9 mention something about Orangeburg and some
10 other county. My specific questions -- and
11 I appreciate the fact that you have a very
12 comprehensive understanding of this, unlike
13 most of us who are sitting here listening to
14 you. What I would like to know whether or
15 not Charleston and Beaufort Counties are
16 made whole, and what is before us? Are
17 those two counties split?

18 REPRESENTATIVE JORDAN: So, Charleston
19 is split, just like it was split in the
20 previous plan, of which we lived off of the
21 last ten years.

22 REPRESENTATIVE COBB-HUNTER: And let me
23 -- before you go further, when you say,
24 "just like it was in the previous plan,"
25 does that mean that the numbers are the same

1 percentage wise? That there's an even
2 distribution of voters of color in the 1st
3 and the 6th Congressional District?

4 REPRESENTATIVE JORDAN: No, ma'am. I'm
5 speaking in terms of --

6 REPRESENTATIVE COBB-HUNTER: Could you
7 speak int the mic a little bit? I'm --

8 REPRESENTATIVE JORDAN: Sure.

9 REPRESENTATIVE COBB-HUNTER: -- having
10 trouble hearing you.

11 REPRESENTATIVE JORDAN: I'm speaking in
12 terms of no part of --

13 SPEAKER POPE: Sergeant, if you could
14 help us, folks I know this is not a lot of -
15 - but there is a low buzz here. Ms. Cobb-
16 Hunter's having difficulty hearing, I think
17 Mr. Jordan's trying to explain, this is very
18 important for all of us. If you have
19 conversations, please take them out back.
20 Sergeant, if you would help us, we would
21 appreciate it.

22 REPRESENTATIVE COBB-HUNTER: Thank you,
23 Mr. Speaker.

24 SPEAKER POPE: Thank you.

25 REPRESENTATIVE JORDAN: I'm not

1 addressing any specific in that answer
2 statistical evaluation. I'm -- what I'm
3 saying is, like the previous map that we
4 lived under for 10 years, no part -- or
5 Beaufort County was not split, and
6 Charleston in some way, shape, or form was
7 split, meaning not whole. And that same --

8 REPRESENTATIVE COBB-HUNTER: Got it.

9 REPRESENTATIVE JORDAN: -- concept is
10 true today.

11 REPRESENTATIVE COBB-HUNTER: And I'm
12 asking about the concept, and the concept of
13 splitting. And perhaps, one of your staff
14 members has heard my question and has now
15 found the answer, and could share that with
16 you? Because what I am asking is whether or
17 not the split in Charleston County is maybe
18 not as equal in number, but is it relatively
19 speaking, the same degree of split that was
20 there before between the 1st Congressional
21 District and the 6th Congressional District?
22 And let me -- let me do it this way, you may
23 be --

24 UNIDENTIFIED SPEAKER 6: (Inaudible)
25 map (inaudible).

1 REPRESENTATIVE COBB-HUNTER: Go ahead?

2 UNIDENTIFIED SPEAKER 7: (Inaudible).

3 REPRESENTATIVE COBB-HUNTER: Here's
4 what I -- let me ask it this way, Mr.
5 Jordan. There are some who maintain that
6 what the Committee did to the 6th
7 Congressional District is to crack and pack,
8 in order to make the 1st Congressional
9 District more republican-leaning and less
10 competitive. And my question for you, is
11 whether or not the plan that is before us,
12 whether or not that plan, indeed, cracks
13 populations of color in Charleston County,
14 pack all of them into the 6th Congressional
15 District? As opposed to being in the 1st
16 Congressional District, thereby -- in the
17 opinion of some -- rendering the 1st
18 Congressional District less competitive?

19 REPRESENTATIVE JORDAN: So,
20 specifically, I would say I do not believe
21 that's the case. And I would point you to
22 the data. So, if you look at District 6, --

23 REPRESENTATIVE COBB-HUNTER: Uh-huh.

24 REPRESENTATIVE JORDAN: -- in the -- in
25 the 2011 draw, I can tell you --

1 REPRESENTATIVE COBB-HUNTER:

2 (Inaudible) I'm sorry, could they also --
3 they brought me this little -- nice little
4 colored map which means nothing without the
5 data. Is there data that they have that
6 they could share, that explain -- and I'm
7 only interested, staff, in the 1st and the
8 6th?

9 REPRESENTATIVE JORDAN: Certainly.

10 It's -- we -- so, I can give you some of the
11 data that --

12 REPRESENTATIVE COBB-HUNTER: Okay.

13 REPRESENTATIVE JORDAN: -- I have in my
14 compilation of notes here. So, in 2011, the
15 black voting age population in District 6
16 was 55%.

17 REPRESENTATIVE COBB-HUNTER: Uh-huh.

18 REPRESENTATIVE JORDAN: In the version
19 that you have before you today, the South --
20 the House Alternate Plan 1, it's 47.57%.
21 So, it's actually less.

22 REPRESENTATIVE COBB-HUNTER: In the --
23 in which district, the 6th?

24 REPRESENTATIVE JORDAN: That's the 6th
25 Congressional District.

1 REPRESENTATIVE COBB-HUNTER: Uh-huh.

2 REPRESENTATIVE JORDAN: So, I think
3 that's evidence directly answering that --

4 REPRESENTATIVE COBB-HUNTER: And tell
5 me --

6 REPRESENTATIVE JORDAN: -- question.

7 REPRESENTATIVE COBB-HUNTER: -- tell me
8 what the numbers are, if you don't mind, in
9 the first? What's the BVAP in the first?
10 What was it before, and what is it under
11 this current plan?

12 REPRESENTATIVE JORDAN: So, it was
13 18.58 in '11 and its 15.67 in the new
14 version. Now, again, this is -- as I've
15 talked about many times -- you know, trying
16 to be exact with something that is
17 incredibly difficult to be exact with.
18 Trying to make those population numbers land
19 just where they need to land. And oh, by
20 the way, as I said, when you -- when you
21 make A and B, right? Sometimes you fix --
22 you mess up, you know, C, D, E, F. So, I'm
23 giving you those things to help you
24 articulate, kind of, that balancing aspect,
25 --

1 REPRESENTATIVE COBB-HUNTER: Yeah.

2 REPRESENTATIVE JORDAN: -- if I would
3 say.

4 REPRESENTATIVE COBB-HUNTER: And again,
5 I'm looking at this, and I'm not privy to
6 the detail, but it kind of looks to me that
7 your point about con-- contiguity and
8 compactness doesn't apply across the board
9 in these two. I'm looking at the first, and
10 this looks like a part of Charleston County.

11 UNIDENTIFIED SPEAKER 8: (Inaudible).

12 REPRESENTATIVE COBB-HUNTER: Oh, huh?

13 UNIDENTIFIED SPEAKER 8: (Inaudible).

14 REPRESENTATIVE COBB-HUNTER: I'm
15 looking at the first, and it looks like a
16 part of -- it looks like a part of
17 Charleston County, or maybe this is -- and
18 I'm showing my ignorance of the State's
19 geography, but I'm looking at what appears
20 to be an unusual configuration, that in my
21 layperson's eyes, would have been easier
22 just to kind of have a swap. And there
23 seems to be a little cutting out of some of
24 the areas here. So, that's why I wanted the
25 detail.

1 REPRESENTATIVE JORDAN: Are you
2 specifically talking about a particular --
3 so, I can give you an example, for instance,
4 where Charleston and Berkley --

5 REPRESENTATIVE COBB-HUNTER: Why is
6 Patrick Dennis over here, Mr. Chairman?

7 REPRESENTATIVE JORDAN: Does that let
8 me off the hook?

9 MR. DENNIS: Jasper County line
10 (inaudible).

11 REPRESENTATIVE COBB-HUNTER: I have a
12 distraction over here, what did you say
13 there?

14 REPRESENTATIVE JORDAN: I was simply
15 saying, and again trying to -- I know it's
16 difficult to try and communicate on the maps
17 here, but for instance, I can tell you it
18 wasn't an arbitrary concept.

19 REPRESENTATIVE COBB-HUNTER: Uh-huh.

20 REPRESENTATIVE JORDAN: The line in
21 Charleston goes up to the county line with
22 Berkley County, so --

23 REPRESENTATIVE COBB-HUNTER: So, I'm
24 told, Mr. -- I'm told by PD that our trusted
25 Chief of -- you all's trusted Chief of

1 Staff, that I'm looking at a Dorchester
2 County line. And it looks to me, like it
3 may not necessarily be Dor-- I -- let me
4 (inaudible) -- let me yield? And come up
5 here --

6 REPRESENTATIVE JORDAN: Sure.

7 REPRESENTATIVE COBB-HUNTER: -- and
8 show your people what I'm talking about, and
9 have them tell me what I'm looking at. May
10 I do that?

11 REPRESENTATIVE JORDAN: Sure.

12 REPRESENTATIVE COBB-HUNTER: Thank you,
13 Mr. Jordan, appreciate your patience.

14 REPRESENTATIVE JORDAN: Yes, ma'am.

15 REPRESENTATIVE COBB-HUNTER: Thank you,
16 Mr. Speaker.

17 SPEAKER POPE: Mr. Jordan, if you have
18 further -- Mr. Govan has a question.

19 UNIDENTIFIED SPEAKER 9: This
20 (inaudible) --

21 REPRESENTATIVE COBB-HUNTER: Yeah,
22 (inaudible)?

23 REPRESENTATIVE GOVAN: Thank you very
24 much, Mr. Speaker. Mr. Jordan, I -- you
25 know, I want to just tag onto that. I

1 guess, when I'm looking at this map, it
2 looks like you got a high sign, for the lack
3 of a better term, thumbs up in the 1st
4 Congressional District. And I'm looking at
5 a -- it looks like a -- I don't know whether
6 that's a county line at the -- at the --
7 above the elbow portion. But if that's a
8 county line, I'm just curious in terms of
9 why, you know, what the issue was there?
10 And also, in terms of -- you go up towards
11 Richland County, and if the green portion is
12 the 6th Congressional District, and you're
13 talking about continuity and lines that are
14 contiguous to one another, it -- that little
15 piece up there that looks like a tag -- if
16 you would -- could you -- and it's kind of
17 hard to see, could you kind of explain the
18 rationale behind that? When, you know, in
19 terms of your introduction, you were talking
20 about meeting the traditional redistricting
21 criteria. Because it does beg the question.

22 REPRESENTATIVE JORDAN: So, nothing
23 would have made me happier, Representative
24 Govan, had we added up the population, and
25 everybody fit nicely into county blocks, and

1 we didn't have to break a single county line
2 in order to accommodate all these diff-- all
3 these congressional districts. What I would
4 tell you, is the points you point out, if
5 you would -- if you have a chance, look at
6 the 2010 congressional boundaries, and they
7 look very, very similar to that. And again,
8 as we attempt to deal with that population
9 influx, both up and down, depending on
10 different crosses -- parts of the state,
11 bear in mind and remember, we start from a
12 point of the 2010 process, or map version
13 that we've been living under, that we know
14 was -- went through the process and
15 determined to be Department of Justice
16 approved and legal reasonable. So, again, I
17 think some of the things you point out are
18 either similar to, or I would argue improved
19 by, the modern -- the new plan.

20 REPRESENTATIVE GOVAN: I -- if I
21 remember some of the areas under that
22 particular draw, I -- we might have some
23 disagreement over that. But I was just
24 curious and trying to point out, in terms of
25 some of the concerns that was shared by some

1 of colleagues. The other thing is, you
2 know, you had mentioned that -- the
3 extraordinary lengths that the Committee
4 went through to keep certain communities of
5 interest together. And I just found that to
6 be very interesting, considering the fact
7 that in terms of the House draw, that in
8 instances, particularly involving my county,
9 that was certainly not the case.

10 REPRESENTATIVE JORDAN: Well, --

11 REPRESENTATIVE GOVAN: Thank you.

12 REPRESENTATIVE JORDAN: -- I would say
13 this, Representative Govan, I certainly
14 respect the comment, but the same criteria
15 and process was employed. But it's
16 difficult -- while that's true, it's
17 difficult to compare the process beyond the
18 criteria and the process, because 124 of us
19 with a pop-- population deviation included
20 in there of two and a half percent on either
21 side of the magic number, so to speak, that
22 we talked about so many times in the House
23 drawing process? Compared to seven
24 congressional districts, where in there is
25 no allowed percentage deviation. So again,

1 the process employed, and the criteria
2 employed, are the same, but it's a very
3 different issue we face.

4 REPRESENTATIVE GOVAN: But you would
5 agree, based on what you just said -- and I
6 appreciate your comments on that -- but that
7 was by our decision, and not by -- out of --
8 out of a decision that was made by the
9 Committee, and not out of necessity based on
10 the flexibility that you're allowed under
11 the law, and under the -- under the courts,
12 and what was previously established in the
13 criteria, in terms to the standard
14 deviation.

15 REPRESENTATIVE JORDAN: I would say
16 that the Committee, the Ad Hoc Committee and
17 the Judiciary Committee, and then the full
18 House as well, went to every length possible
19 to make sure we followed the process and the
20 criteria that was legally given to us, and I
21 think we did.

22 REPRESENTATIVE GOVAN: But you had the
23 flexibility, in terms of the deviation, to
24 go to a higher deviation, but we elected not
25 to do that?

1 REPRESENTATIVE JORDAN: We discussed
2 that, at length I believe, in this body.
3 And ultimately, felt like given several
4 issues before us, one being specifically the
5 timeliness, trying to get the process done
6 and that we were so delayed through no fault
7 of this body, or anyone by that matter, by
8 the census data, that the safest course of
9 action regarding the House district line
10 deviation was to stay with what we knew
11 worked, what had worked previously. And
12 that was the two and a half percent.

13 REPRESENTATIVE GOVAN: Well, now we'll
14 respectfully disagree on --

15 REPRESENTATIVE JORDAN: Yes, sir.

16 REPRESENTATIVE GOVAN: -- that, but
17 thank you. Thank you, --

18 REPRESENTATIVE JORDAN: Yes, sir.

19 REPRESENTATIVE GOVAN: -- Mr. Chairman.

20 SPEAKER POPE: Mr. Garvin's recognized?

21 REPRESENTATIVE GARVIN: Thank you, Mr.
22 Speaker, and thank you Mr. Jordan. Mr.
23 Jordan, did you know that I appreciate your
24 service, as well as the service of the
25 members of this committee?

1 REPRESENTATIVE JORDAN: Thank you. I
2 appreciate your service as well.

3 REPRESENTATIVE GARVIN: Thank you, Mr.
4 Jordan. I have -- Mr. Jordan, did you know
5 that I actually had the opportunity to watch
6 all the hearings virtually? And I listened
7 very closely --

8 REPRESENTATIVE JORDAN: I'm sorry --

9 REPRESENTATIVE GARVIN: -- (inaudible)
10 --

11 REPRESENTATIVE JORDAN: -- you had to
12 do that.

13 REPRESENTATIVE GARVIN: Well, I really
14 took the time to listen to those hearings,
15 Mr. Jordan, did you know? So, that I could
16 understand some of the issues that we --
17 that would come before this body today. And
18 I guess, my concern, Mr. Jordan, did you
19 know, is that it -- they're there -- there
20 are more process concerns. Mr. Jordan, did
21 you know that the first map that the
22 Committee released, many folks were actually
23 fairly pleased with the map, in regards to
24 it being fair, did you know? Did you know
25 that Mr. Jordan?

1 REPRESENTATIVE JORDAN: Certainly, I
2 would tell you -- and you --

3 REPRESENTATIVE KING: Thank you.

4 REPRESENTATIVE JORDAN: -- gathered
5 this probably from watching, you're never
6 going to make everybody happy.

7 REPRESENTATIVE GARVIN: Sure.

8 REPRESENTATIVE JORDAN: And certainly,
9 we put out the first version, and we heard
10 from some folks that said it was not that
11 bad, and we heard some from some folks,
12 particularly in Beaufort -- as I addressed
13 earlier -- that's said it was awful.

14 REPRESENTATIVE GARVIN: Sure.

15 REPRESENTATIVE JORDAN: And then we put
16 out an alternate version, and we heard from
17 a few folks that said it was much improved,
18 and we heard from a few folks that didn't
19 like it as well. Back to my underly point
20 of, we're trying to do the best we can to
21 put out the best product that complies with
22 the law, and the under -- with the
23 underlying idea that we're not going to make
24 everyone happy.

25 REPRESENTATIVE GARVIN: Right,

1 absolutely. Mr. Jordan, did you know, I
2 absolutely agree, no matter what you do,
3 folks will -- that you could never please
4 everybody? But Mr. Jordan, did you know
5 that I was watching the hearing earlier this
6 week, and there was a comment made about if
7 the folks down in Beaufort who were
8 displeased with the fact that they were no
9 longer in what is now the 1st Congressional
10 District? And they were actually move
11 towards, did you know, the inland district
12 that's currently represented by Congressman
13 Wilson? They -- did you know that those
14 folks raised a concern, and they were then
15 in the second map brought back into the
16 first? But I -- as you are well aware, did
17 you -- you know, folks down in Charleston I
18 have also raised concerns? So, I guess my
19 question is, what made the concerns of the
20 Beaufort folks more prevalent to change the
21 actions of a committee, versus the folks in
22 Charleston?

23 REPRESENTATIVE JORDAN: So, what I
24 would say -- very fair question, but
25 ultimately, it's just like any piece of

1 legislation. The Committee is tasked, just
2 as the full judiciary was, just as we are,
3 of finding that best possible version to put
4 forward. The folks in Beaufort made a, what
5 I thought in my -- from my vote, was a
6 compelling argument that it wasn't fair to
7 ping pong them back and forth, as they had
8 been during the process. They also, in my
9 mind, made a very compelling argument that
10 they, like Charleston, dealt with coastal
11 issues that were unique. That not everyone
12 in the state -- other parts of the state
13 deal with, those coastal -- those shoreline
14 issues that are specific to the coastal
15 regions.

16 They also made the point -- back to
17 that ping pong -- that you know, this is
18 working. This is established, why undo and
19 change? And I felt like, when you balanced
20 all the different issues together, --
21 because I do agree with you that, you know,
22 one county doesn't have priority over
23 another -- but it's important when you look
24 at all the issues, for my vote, I felt like
25 this made the most sense.

1 REPRESENTATIVE GARVIN: All right, and
2 I appreciate that answer, Mr. Jordan. I
3 guess, did you know, Mr. Jordan, that I also
4 think that the issues in Charleston and
5 North Charleston, I think that those
6 constituencies also share some of the same
7 concerns, given that they're, you know, a
8 much closer? Downtown Charleston is much
9 closer to North Charleston than downtown
10 Columbia. Did you know that I find that to
11 be concerning? That in this current map
12 that we have the University of South
13 Carolina and the College of Charleston in
14 the same legislative district?

15 REPRESENTATIVE JORDAN: Again, we could
16 go back and forth, as we do in a lot of ways
17 in our lives, developing a pro and con list,
18 and you would make a good argument for some
19 pros and cons on either side. But when you
20 look at the sum total of the facts, it was
21 my opinion that this version was the better
22 version, ultimately.

23 REPRESENTATIVE GARVIN: Fair enough,
24 Mr. Jordan. Did you know that I disagree,
25 that I think a district --

1 REPRESENTATIVE JORDAN: Sure.

2 REPRESENTATIVE GARVIN: -- that's 100
3 miles, and that shares the College of
4 Charleston and the University of South
5 Carolina, did you know, I think that's not a
6 great map? But Mr. Jordan, I'm not going to
7 belabor the point, I guess my next question
8 is the process question. We are all aware
9 that the Senate -- that this map mirrors
10 pretty much, with a few minor tweaks,
11 mirrors the Senate's map. And the Senate's
12 map, Mr. Jordan, did you know, was wildly
13 criticized? And -- but for some odd reason,
14 the House decided to adopt a map that was
15 similar to the Senate's map. Mr. Jordan,
16 did you know that I am con-- somewhat
17 concerned about the process? Can you, kind
18 of, talk about how we ended up, I guess, for
19 this particular map, do you know, if there
20 were any outside groups that influenced this
21 map? Do you know if any of our
22 congressional members had any input on this
23 particular map?

24 REPRESENTATIVE JORDAN: So, I will tell
25 you that no partisan group, national or

1 otherwise, were involved in the drafting of
2 this plan. None of that outside partisan
3 stuff took place in this process. The
4 process in this was as I -- as I described
5 in that timeline. The Ad Hoc needed a
6 starting point in which to discuss, so we
7 pushed out a version. And I don't know that
8 it would have made sense right out the gate,
9 to push out a version that simply looked
10 like the Senate version.

11 REPRESENTATIVE GARVIN: Uh-huh.

12 REPRESENTATIVE JORDAN: For purposes of
13 discussion of where we go in drawing these
14 maps.

15 REPRESENTATIVE GARVIN: Uh-huh.

16 REPRESENTATIVE JORDAN: We pushed out a
17 version, we had a hearing on it, we had --
18 as I've already stated, a large amount of
19 input given to us from the public. We
20 listened to the public and we put another
21 version up.

22 REPRESENTATIVE GARVIN: Uh-huh.

23 REPRESENTATIVE JORDAN: I would also
24 say, as you brought concerns and others
25 brough concerns, at -- the process -- the

1 process is the process. There was multiple
2 opportunities in this time to produce
3 amendments to the map, if the ver-- if the
4 version didn't like -- if a member didn't
5 like the particular issues within the map.
6 At the end of the day, ultimately, I believe
7 the process worked, the public input process
8 worked, and the Ad Hoc Committee produced a
9 product that was ultimately approved by the
10 full Judiciary, and now sits before you.

11 REPRESENTATIVE GARVIN: Very good.

12 Thank you, Mr. Jordan.

13 REPRESENTATIVE JORDAN: Yes, sir.

14 SPEAKER POPE: Ms. Matthews is
15 recognized.

16 REPRESENTATIVE MATTHEWS: Thank you,
17 Mr. Speaker. Representative Jordan, again,
18 thank you for your hard work on this
19 committee. Did you know that were many
20 questions that we asked that people, really,
21 didn't know the answers to? But I do have
22 the answers because a lot of the questions
23 were about Charleston County, which I am a
24 part of, and I really, pretty much, know
25 pretty well. So, I'll make a couple points

1 that I am confused about. One of them is
2 the fact that you keep saying something
3 about process, but if I remember corrects,
4 process was not followed in Judiciary when
5 this came out, with -- in regards to who was
6 supposed to be first Vice Chair and lead the
7 Committee. My second point is that, the
8 question was asked about does this split
9 Charleston County, and you gave an answer
10 that you thought that it was kept the way
11 that it was before --

12 REPRESENTATIVE JORDAN: No, that's not

13 --

14 REPRESENTATIVE MATTHEWS: Okay, can you
15 please clarify what --?

16 REPRESENTATIVE JORDAN: I can
17 absolutely clear that. The question was
18 regarding Beaufort County not being split
19 previously, and Charleston being split in
20 some form or fashion. If you look at the
21 two maps, you can clearly see that
22 Charleston is split as it was split, not in
23 the same -- I'm not saying in the same
24 places, or the same percentages, but
25 Charleston County was in fact a split county

1 in the prior version and is in fact a split
2 county in this version. The -- and I -- I
3 apologize for any confusion on that issue.

4 REPRESENTATIVE MATTHEWS: No, it's
5 okay. I'm -- let me take my mask off. What
6 Rep Cobb-Hunter was asking you was, were the
7 communities of color split? And I don't
8 know if you know this about me, but I'm
9 really particular about being clear. So,
10 let me be very clear, it was split. The 1st
11 Congressional District was given the white
12 areas of Charleston County, and
13 Congressional District 6 was given the black
14 areas of Charleston County, predominantly.
15 So, to -- the answer to her question, if you
16 look at the data on your screen right now,
17 in Congressional District 1, if you go to
18 track 54, that's where you see the
19 Charleston County. If you go for six, is
20 track 51, that's where you'll see the list
21 for Charleston County. And when you look at
22 the way those tracks were split, it is very
23 clear, based on where people live how those
24 were split.

25 I also would like to just add, for the

1 record, since you had a lot of statements
2 for the record, that I don't really
3 understand why West Ashley was cut in half,
4 and it put John Island in six. Because I
5 thought we were supposed to keep communities
6 of interest together, and that, for me, was
7 a little confusing.

8 REPRESENTATIVE JORDAN: So, several
9 points I would like to address in there, and
10 going back to some things I've already said.
11 Communities of interest, compactness,
12 multiple criterias that we attempt to look
13 at, in figuring out balancing these
14 congressional districts off each other. I
15 would say, be careful to look at any one
16 small particular area. You know, when
17 you're looking at over 700,000 people across
18 a congressional district, it can be easy to
19 just focus on one area, but remember, we're
20 looking at the entire area as a whole. And
21 I said to Representative Cobb-Hunter, you
22 can look at the percentages from 2010 and 11
23 to now, and clearly see it's not packed and
24 there's a difference there. Did you have
25 another question?

1 REPRESENTATIVE COBB-HUNTER:

2 (Inaudible).

3 SPEAKER POPE: Ms. Cobb-Hunter is
4 recognized.

5 REPRESENTATIVE JORDAN: Is that it?

6 SPEAKER POPE: Ms. Cobb-Hunter is
7 recognized.

8 REPRESENTATIVE COBB-HUNTER: Thank you
9 so much, Mr. Speaker. Let me, if I may, Mr.
10 Jordan, again, just trying to make sure I'm
11 clear on how we're doing things now and how
12 they've been done in the past. I'm still
13 curious about the Committee's criteria, and
14 how all of that was ranked and applied. Did
15 the Committee have a criteria that was
16 established for each district?

17 REPRESENTATIVE JORDAN: Do we have a
18 copy of that? We have --

19 REPRESENTATIVE COBB-HUNTER: How you
20 ranked criteria? Like you talked about
21 compactness, contiguity. So, my question is
22 whether or not the Committee had -- so, is
23 that -- oh, (inaudible), I'm sorry.

24 REPRESENTATIVE JORDAN: No, I just
25 wanted to be able to -- so, to answer your

1 question, the Committee adopted one of the
2 very first things -- if not the first thing
3 -- the Committee did was adopt a criteria, -
4 -

5 REPRESENTATIVE COBB-HUNTER: Uh-huh.

6 REPRESENTATIVE JORDAN: -- of which we
7 would operate under. And you're absolutely
8 right, they are -- they -- it starts with
9 the Constitution of the United States, then
10 Federal Law, then State Law, then equal
11 population, then contiguity, compactness,
12 communities of interest, incumbency
13 consideration. If you follow --

14 REPRESENTATIVE COBB-HUNTER: Uh-huh.

15 REPRESENTATIVE JORDAN: -- down the
16 ranking.

17 REPRESENTATIVE COBB-HUNTER: Okay, and
18 was that criteria applied uniformly across
19 the board at all levels? You all looked at
20 those things you just read to me as
21 committee criteria? Was it uniformly
22 applied or was there some application in
23 some districts -- and I'm talking
24 congressional, not House. I'm just trying
25 to figure out if it was uniformly applied,

1 the rankings?

2 REPRESENTATIVE JORDAN: So, what I
3 would tell you is, you know, it -- there's a
4 reason why it was listed in that order.
5 Having said that, it was the Committee's
6 attempt to employ all of these things in the
7 process of adopting the map.

8 REPRESENTATIVE COBB-HUNTER: I'm trying
9 to figure out, Mr. Jordan, whether or not --
10 two things, one, was the same rank -- was it
11 -- was it applied consistently, number one,
12 regardless of which of the seven districts
13 we are talking about. Or whether or not
14 there was some criteria that was applied
15 differently in the 1st and the 6th
16 Congressional District, than in the other
17 five. If that makes sense?

18 REPRESENTATIVE JORDAN: I would say,
19 the criteria is the criteria. I don't mean to
20 be -- trying to avoid the question, --

21 REPRESENTATIVE COBB-HUNTER: I got you.

22 REPRESENTATIVE JORDAN: -- but, you
23 know, we --

24 REPRESENTATIVE COBB-HUNTER: I got you.

25 REPRESENTATIVE JORDAN: -- we put that

1 before the Ad Hoc Committee, I think it was
2 unanimously adopted, and we attempted to
3 follow it.

4 REPRESENTATIVE COBB-HUNTER: I was just
5 trying to figure out if it was higher or
6 lower, depending on the Committee's
7 conversation and action? If I may, just one
8 -- one or two more questions, and these are
9 Voting Rights Act questions. I know, thanks
10 to the Supreme Court, mainly Chief Justice
11 Roberts, the 2013 decision gutted the Voting
12 Rights Act. And all protections for voters
13 of color, for disabled voters, all of that
14 was gutted by the Robert's Court in 2013, as
15 it relates to Section 5. What was still
16 there is Section 2. Was there a Section 2
17 analysis that was done on these maps? Did
18 you all do a Section 2 analysis?

19 REPRESENTATIVE JORDAN: I think --

20 REPRESENTATIVE COBB-HUNTER: And if you
21 did, may I see the results of that analysis?

22 REPRESENTATIVE JORDAN: -- what I would
23 -- what I would say is, because I -- you're
24 absolutely right, and there was two --

25 REPRESENTATIVE COBB-HUNTER: Mr.

1 Speaker? I'm so sorry, but Mr. Jordan's
2 voice is real soft, and your leadership over
3 here --

4 REPRESENTATIVE JORDAN: Ouch.

5 REPRESENTATIVE COBB-HUNTER: -- is
6 making way too much noise for me to hear.
7 Would you do something with them?

8 SPEAKER POPE: Mr. Simrill appears to
9 be leaving.

10 REPRESENTATIVE COBB-HUNTER: And that's
11 my chairman, too.

12 SPEAKER POPE: Yeah.

13 REPRESENTATIVE COBB-HUNTER: I'm just
14 crushed.

15 SPEAKER POPE: Sergeant, if you would
16 help us maintain some quiet in here?

17 REPRESENTATIVE COBB-HUNTER: Oh, wow.

18 REPRESENTATIVE JORDAN: Mr. Jordan, if
19 you'll speak up a little bit.

20 REPRESENTATIVE COBB-HUNTER: Thank you,
21 Mr. Speaker.

22 REPRESENTATIVE JORDAN: I'll do my
23 best, Mr. Speaker.

24 REPRESENTATIVE COBB-HUNTER: Did you
25 say yes, you all did an analysis?

1 REPRESENTATIVE JORDAN: I would -- I
2 would say this, I -- because I -- you're
3 absolutely right.

4 REPRESENTATIVE COBB-HUNTER: So, that's
5 no?

6 REPRESENTATIVE JORDAN: You're
7 absolutely right that the 2013 decision did
8 change the process to some degree. What I
9 would argue -- thank you, I got ice this
10 time too. Thank you.

11 CLERK CROMER: Uh-huh.

12 REPRESENTATIVE JORDAN: To my
13 knowledge, to answer your question
14 specifically, we did everything in
15 compliance with the law that we were told
16 and required to do.

17 REPRESENTATIVE COBB-HUNTER: That's a
18 nice lawyer answer. I'm not a lawyer. So,
19 does that mean yes, you all did a Section 2
20 analysis? Or no, you did not?

21 UNIDENTIFIED SPEAKER 10: (Inaudible).

22 REPRESENTATIVE JORDAN: Right. To my
23 knowledge, we did everything we possibly
24 needed to do under the terms of the law.

25 REPRESENTATIVE COBB-HUNTER: Thank you,

1 Mr. Chairman.

2 REPRESENTATIVE JORDAN: Thank you.

3 REPRESENTATIVE COBB-HUNTER: I will
4 take that as a "no," you did not do a vote -
5 - a Section 2 analysis.

6 REPRESENTATIVE JORDAN: To my
7 knowledge, we complied with every aspect of
8 the law.

9 REPRESENTATIVE COBB-HUNTER: You are so
10 good. Thank you, Mr. Jordan. Thank you so
11 much, Mr. --

12 REPRESENTATIVE JORDAN: Thank you.

13 REPRESENTATIVE COBB-HUNTER: --
14 Speaker.

15 SPEAKER POPE: Yes, ma'am. Mr. Thigpen
16 is recognized?

17 REPRESENTATIVE COBB-HUNTER: Huh?

18 REPRESENTATIVE THIGPEN: Thank you, Mr.
19 Speaker. Thank you, Mr. Jordan, for
20 answering questions and staying up there as
21 long as you have. Do you know that I
22 believe that this is not an easy task? Did
23 you know that as stated in committee, with
24 this process it's impossible to please
25 everyone? With that being said, did you

1 know that I believe that the greatest tool
2 that we have, in taking on such a difficult
3 task, is process? Did you know that my
4 concern about the transparency of the
5 process, and the consistency of the process,
6 is what has caused me to rise? Did you know
7 that? When we look at the first map that
8 was drawn by the House, in comparison to the
9 second map that we're looking at now, could
10 you tell me what was the primary impetus,
11 primary trigger, difference? What caused
12 this to go from one map to the next? I know
13 you may have stated it before, if you would
14 just be so kind as to restate it.

15 REPRESENTATIVE JORDAN: So, what I
16 would say is, the process was the biggest
17 factor in the change. As I stated earlier,
18 the Committee took input all -- from all
19 folks across the state. When it came time
20 for the congressional districts, we pushed
21 out a starting point, just like we did in
22 the House plan. A starting point. If you
23 remember in that House plan, that starting
24 point was amended several times during the
25 course of the process that ultimately led to

1 what we passed. The congressional
2 districts, we put out the account staff plan
3 as a starting point. In my mind, it didn't
4 make a whole lot of sense to put out a
5 starting point for discussion -- or you had
6 to have a starting point for discussion. We
7 pushed that plan out, we had public
8 hearings, we listened to the public, and we
9 made alterations based on the public input.
10 And the -- some of the concerns that we were
11 raised, we had an alternative plan to
12 discuss.

13 Those plans were at all times on equal
14 footing in the -- in the eyes of the
15 Committee. Or in the power of the
16 Committee, maybe is a better way to say it,
17 the authority of the Committee. The
18 Committee met after having time to -- ample
19 time for folks to weigh in, and having time
20 to digest the issues that were presented to
21 the Committee. And ultimately, the plan
22 that had -- that was voted out is the plan
23 that you see before you. The only plan, I
24 might add, that was -- that was motioned to
25 be approved and voted on in that process.

1 So, I would tell you that -- I hope that's
2 clear, you know, walking through what we
3 did, when we did, kind of, thing.

4 REPRESENTATIVE THIGPEN: Right, thank -
5 - and thank you too for supplying that
6 answer again. The question I have,
7 particularly to process, is when input was
8 taken, public input, -- and I know we've
9 weighed heavily on the input, I believe,
10 from Beaufort County. When we talk about
11 the input from Charleston, and other areas,
12 was there more weight, more partiality -- if
13 you would -- more importance given to input
14 from one area than the next? Or how did you
15 go about determining prioritizing the input?

16 REPRESENTATIVE JORDAN: I certainly
17 don't think one area was given any more
18 priority over the other. I can tell you,
19 just for -- however you -- for whatever it's
20 worth, the volume of input was higher from
21 the folks in Beaufort. I think, when we
22 added up all the comments, I think roughly
23 85% of the issues came out of Beaufort
24 comparatively. With the -- as it related to
25 the issue we're talking about. But

1 ultimately, -- I can't remember who asked
2 the question earlier -- it goes back to, I'm
3 simply one vote on the Committee. And when
4 I analyzed the issues before me -- and
5 again, we could talk about the pros and the
6 cons that have delineated here today on this
7 -- the floor of this -- the floor of the
8 House. Ultimately, to me, I felt like it
9 made more sense for the version you have in
10 front of you.

11 REPRESENTATIVE THIGPEN: Right, and I
12 appreciate that. And again, I am not in any
13 way discrediting the intent. And I agree
14 with you, in regards to the pros and cons
15 that either could have. I think you could
16 make pros and cons for anything. Equally, I
17 think also, with the process being the
18 process, and the criteria being the
19 criteria, would you agree with me that that
20 is something that we can always look at?
21 There's always room for improvement, any
22 process that we have, right?

23 REPRESENTATIVE JORDAN: A -- the
24 process is what makes us special. The
25 process is what, you know, -- what we need

1 to rely on.

2 REPRESENTATIVE THIGPEN: Right, and
3 once again, to restate the original
4 statement in question, is that I believe
5 process is so important to what we do,
6 particularly when it comes to transparency.
7 To that regard, when it comes to some of the
8 specifics and statistics that Representative
9 Cobb-Hunter was referencing, i.e., BVAP, in
10 the original plan that was submitted by the
11 House -- the starter, as you named it, and
12 the plan that we have before us now, did
13 that BVAP go up, did it go down? Did it
14 stay the same? Was that a target, or a
15 concern or consideration in the rendering of
16 a new map?

17 REPRESENTATIVE JORDAN: So, if you
18 (inaudible) --

19 REPRESENTATIVE THIGPEN: In --
20 particularly in Congressional District 1.

21 REPRESENTATIVE JORDAN: You're talking
22 about District 1?

23 REPRESENTATIVE THIGPEN: Yes, sir.

24 REPRESENTATIVE JORDAN: District 1,
25 you're -- and you're comparing the ori-- the

1 alternate version that you have in front of
2 you versus the original --

3 REPRESENTATIVE THIGPEN: House
4 original.

5 REPRESENTATIVE JORDAN: -- staff
6 presented --

7 REPRESENTATIVE THIGPEN: Yes.

8 REPRESENTATIVE JORDAN: -- plan? I
9 believe the percentage, --

10 REPRESENTATIVE THIGPEN: The starter, I
11 believe you called it.

12 REPRESENTATIVE JORDAN: -- I believe it
13 went down from the first one to the second
14 one. And if you compare it to District 6,
15 it went down as well. So, again, you're
16 balancing those two off of each other
17 primarily. Does that make sense?

18 REPRESENTATIVE THIGPEN: Yeah, I just
19 want to make sure that I understood you
20 correctly. So, you're saying that --

21 REPRESENTATIVE JORDAN: Here, I'll just
22 read you the statistics.

23 REPRESENTATIVE THIGPEN: Go ahead.

24 REPRESENTATIVE JORDAN: So, --

25 REPRESENTATIVE THIGPEN: That would be

1 -- that would be even better.

2 REPRESENTATIVE JORDAN: -- so, original
3 House plan, 20.27 down to 15.67, 50-point--

4 REPRESENTATIVE THIGPEN: That's
5 District 1?

6 REPRESENTATIVE JORDAN: -- 50.67 to
7 47.57. So, you know, same -- similar
8 percentage --

9 REPRESENTATIVE THIGPEN: (Inaudible) --

10 REPRESENTATIVE JORDAN: --
11 neighborhoods, but adjusted as I just
12 described.

13 REPRESENTATIVE THIGPEN: Okay. Thank
14 you.

15 REPRESENTATIVE JORDAN: Thank you, sir.

16 SPEAKER LUCAS: Ms. McDaniel, did you
17 have a question for Mr. Jordan? Yeah. Is
18 that up, down?

19 REPRESENTATIVE MCDANIEL: (Inaudible).

20 SPEAKER LUCAS: Ms. McDaniel is
21 recognized.

22 REPRESENTATIVE MCDANIEL: Thank you,
23 Mr. Speaker. Thank you, Mr. Jordan. I just
24 want to commend that committee on all of the
25 hard work that you guys did. I did watch

1 many of the sessions via the internet. But
2 I have just a few questions, if you don't
3 mind? And just trying to make sure I
4 understand processes, since this is my first
5 time going through this. When the green --
6 is that District 6? Can I -- where --
7 where's your -- may I hold that? Okay,
8 yeah, District 6, where we went down, looked
9 like Beaufort, and picked up Charleston. It
10 looked like we was about to make a complete
11 circle and we changed our mind? Is that the
12 part where I'm hearing there's concern about
13 where Charleston is split?

14 REPRESENTATIVE JORDAN: So, I'm sorry,
15 say that again?

16 REPRESENTATIVE MCDANIEL: Okay, if
17 you're looking at District 6, and you go all
18 the way down by the coast? And let me --
19 and let me preface by stating, I worked in
20 Charleston for six years, so I have a lot of
21 friends and associates that are still in
22 Charleston. So, I do have an intricate
23 interest in Charleston, as well as my
24 district, which is District 6. But in
25 District 6, it goes all the way down to the

1 coast, and I see Charleston written on the
2 map, and it almost made a circle, but it did
3 not. It looked like it went around Berkley
4 County.

5 UNIDENTIFIED SPEAKER 11: She said one
6 and six.

7 REPRESENTATIVE MCDANIEL: Am I looking
8 at the right map?

9 REPRESENTATIVE JORDAN: So, here --
10 here's what I would say do, if you have the
11 -- I think you have some maps in front of
12 you. The easiest --

13 REPRESENTATIVE MCDANIEL: This is the
14 right one.

15 REPRESENTATIVE JORDAN: The easiest way
16 to do it is to compare the 2010 and the plan
17 before you. And then --

18 REPRESENTATIVE MCDANIEL: Okay, let me
19 just ask the questions then, so I don't have
20 to do that. What percentage -- oh, any
21 commonsense person would think that when the
22 census came in, that Charleston grew -- if
23 I'm not mistaken -- more than any of the
24 other districts, is that correct?

25 REPRESENTATIVE JORDAN: Parts of

1 Charleston grew, yes. For instance, --

2 REPRESENTATIVE MCDANIEL: What --

3 REPRESENTATIVE JORDAN: -- Mount

4 Pleasant, if you remember, we have a new

5 House district --

6 REPRESENTATIVE MCDANIEL: What --

7 REPRESENTATIVE JORDAN: -- there,

8 because of the exploding population,

9 particularly on the coastal area.

10 REPRESENTATIVE MCDANIEL: Okay, is

11 Mount Pleasant a separate county, or is this

12 part of Charleston?

13 REPRESENTATIVE JORDAN: Mount Pleasant

14 is part of Charleston.

15 REPRESENTATIVE MCDANIEL: Okay, so

16 Charleston is one of the counties that grew

17 more than any other county, correct?

18 REPRESENTATIVE JORDAN: Correct.

19 REPRESENTATIVE MCDANIEL: Okay, so I

20 think the concern is, why would we split

21 Charleston? Now, when I worked down in

22 Charleston, there was some sense of -- I

23 don't know how to say it, (inaudible) --

24 except just say it, that there -- that the

25 folk in Charle-- in North Charleston was a

1 whole lot different from the people that was
2 on the -- on the bottom side of Charleston.
3 On the side of Charleston downtown and going
4 up -- and going across to Mount Pleasant and
5 all those areas.

6 REPRESENTATIVE KING: Uh-huh.

7 REPRESENTATIVE MCDANIEL: So, what was
8 the motivation to actually split Charleston
9 period? Because I was thinking that as we
10 were drawing these maps, the counties that
11 were larger, most -- were in most part,
12 since the numbers were increasing, would be
13 the counties that we would make whole. So,
14 what was the appetite for (inaudible) -- for
15 splitting Charleston?

16 REPRESENTATIVE JORDAN: Well, remember,
17 -- something we've talked about previously -
18 - we're dealing with not particular
19 counties, we're dealing with that 700-plus
20 thousand people population that we have to,
21 --

22 REPRESENTATIVE MCDANIEL: Okay.

23 REPRESENTATIVE JORDAN: -- you know,
24 divide up and put into groups equally.

25 REPRESENTATIVE MCDANIEL: Okay, so --

1 REPRESENTATIVE JORDAN: So, --

2 REPRESENTATIVE MCDANIEL: -- how many
3 people do we have in Charleston? How many
4 people lives in Charleston?

5 REPRESENTATIVE JORDAN: I don't have
6 the total, but I'm getting to your question
7 here. So, in the prior version, if you look
8 at it you can see Charleston was actually
9 split in two places. So, it was always
10 split previously. This version actually, in
11 my opinion, makes it better by minimalizing
12 that spit-- split down to one.

13 REPRESENTATIVE MCDANIEL: Okay, but
14 that does not seem to be what I'm hearing
15 from most of the people I know that's still
16 lives in Charleston. And people who are
17 concerned about if we had started with
18 Charleston and kept it whole -- which I'm
19 hearing a lot of Beaufort wanted to be part
20 of Charleston, and I'm also hearing that if
21 we kept Beaufort and Charleston together,
22 there still would have been room for other
23 people of that -- to put in that district.
24 So, if we had kept Charleston and Beaufort
25 whole, and started with that district first,

1 then we could have went around and made the
2 other districts.

3 REPRESENTATIVE JORDAN: Well, --

4 REPRESENTATIVE MCDANIEL: Because --

5 REPRESENTATIVE JORDAN: -- may I -- may
6 I answer that?

7 REPRESENTATIVE MCDANIEL: Yeah, go
8 ahead.

9 REPRESENTATIVE JORDAN: So, I would
10 point you back to a comment that I consider
11 very applicable, that Representative Thigpen
12 made a little while ago. You know, picking
13 and choosing -- you know, you have to start
14 from somewhere, I'm not saying that. But
15 saying, you know, one county is any more
16 favored than the other was not the process.
17 Again, I -- back to that criteria that we
18 applied, ultimately taking into
19 consideration the bigger point, which was
20 getting those equal populations in all seven
21 congressional districts. So, just saying
22 Charleston -- as much as I love Charleston -
23 - has a priority over other counties, --
24 REPRESENTATIVE MCDANIEL: Okay, so then
25 which county did we start with, as it

1 relates to starting to draw onto the maps?

2 REPRESENTATIVE JORDAN: Well, in the
3 version you're looking at now, we
4 essentially -- the starting point was the
5 prior map that we lived under for ten years,
6 that we look-- that we knew was legally
7 appropriate, and Department of Justice
8 approved. I would also tell you -- and
9 again, I think you have the sense, maybe,
10 that we're picking on Charleston. Most
11 larger counties are split. Greenville,
12 Spartanburg, Richland all have splits to
13 accommodate this idea of making the
14 populations add up to that 700-plus thousand
15 equal number.

16 REPRESENTATIVE MCDANIEL: Okay. Okay,
17 Rep Jordan. Now, you do know that when you
18 all drew my House district, you all did go
19 into my district and make a community whole
20 that was not whole before?

21 REPRESENTATIVE JORDAN: Now, be
22 careful, I don't -- I don't mean -- I mean,
23 what I mean by be careful is, be careful to
24 compare the House process and district.
25 Remember --

1 REPRESENTATIVE MCDANIEL: No, no, no.

2 I'm not speaking relative to process; I'm
3 speaking relative to keeping communities
4 whole.

5 REPRESENTATIVE JORDAN: You're --

6 REPRESENTATIVE MCDANIEL: So, there was
7 an appetite to make a community whole that
8 was once split. So, I guess I'm trying to
9 figure out why it wasn't an appetite to keep
10 Charleston whole, being it's one of the
11 counties in the state that brings in a lot
12 of revenue, we have the Port down there. We
13 -- I mean, that's where most of the people
14 who are moving from up North are moving to
15 Charleston. So, I'm just still trying to
16 understand that appetite of not keeping
17 Charleston whole? Particularly in light of
18 the concern that we keep hearing from most
19 of the individuals who are in that district,
20 as well as the ones who are in Congressman
21 Clyburn's district. Which I wouldn't even
22 mind (inaudible) District 5, if you would
23 have brought Clyburn's district on up to
24 District -- up to Fairfield, so that we
25 would have had an opportunity to probably

1 have a chance to be elected to Congress.

2 REPRESENTATIVE JORDAN: So, what I
3 would say goes back to a point I made to
4 Representative Govan a little while ago. I
5 would love it if we could just use county
6 lines, and the population all clicked into
7 place, and we didn't have to split
8 Charleston, or Greenville, or Spartanburg,
9 or Richland. Which I think you would agree,
10 are all, you know, important counties in
11 South Carolina. But I keep coming back to
12 this overriding concept that we have, to
13 make -- to make -- to follow the criteria, -
14 -

15 REPRESENTATIVE MCDANIEL: Uh-huh.

16 REPRESENTATIVE JORDAN: -- which you
17 can't pick and choose, they're all involved
18 in this process.

19 REPRESENTATIVE MCDANIEL: Uh-huh.

20 REPRESENTATIVE JORDAN: But at the same
21 time, make the math work out and have,
22 substantially, the exact same number of
23 people living in each of these seven
24 congressional districts.

25 REPRESENTATIVE MCDANIEL: Well, I'm

1 going to commend you for standing up there
2 and taking all of the questions that we have
3 asked you.

4 REPRESENTATIVE JORDAN: Well, that's
5 about --

6 REPRESENTATIVE MCDANIEL: But --

7 REPRESENTATIVE JORDAN: -- to stop.

8 REPRESENTATIVE MCDANIEL: -- but I
9 think that in some of the explanations, the
10 rehearsal, or the repetition, this is great.
11 But I do believe that we could have done a
12 better job, and I think with Charleston
13 being one of our largest and one of our most
14 productive counties in this state down on
15 the coast, it should have been stayed -- it
16 should have stayed whole, so that all of the
17 revenues would flow up together coming from
18 Charleston, while we kept -- keep
19 communities whole. And I don't know how
20 much time you've spent in Charleston, but I
21 think North Charleston and Charleston
22 together would have done a lot to pull those
23 communities together, and make Charleston a
24 much better county overall. Versus that
25 split between North Charleston and downtown

1 Charleston. But thank you.

2 SPEAKER LUCAS: Mr. King is recognized.
3 Mr. King.

4 REPRESENTATIVE KING: Thank you, Mr.
5 Speaker and colleagues. I want to start off
6 by saying, I'm concerned with the conduct of
7 the meeting of the Judiciary Committee on
8 Monday, January the 10th, 2022. The rules
9 of the Judiciary Committee are clear. Rule
10 one states, that the first vice chair shall
11 preside over a committee meeting in the
12 absence of the chairman. As the chairman
13 was absent from the meeting, the rules
14 required that I, in my capacity, as the
15 first vice chair, preside over the meeting.
16 Yet this did not happen. Instead, another
17 representative presided over the meeting,
18 per written designation of the chairman that
19 cited unspecific, extra-ordinary
20 circumstances, as justification for this
21 unprecedented deviation from the normal
22 operating procedures of the Committee. The
23 meeting was held in violation of the
24 Committee rules, and constituted a breach of
25 decorum in the House of Representatives.

1 We are a body that functions according
2 to established rules and procedures. Yes,
3 we are ruled by the majority, but the rights
4 of the minorities, and the rights of
5 individual members must -- and I say must --
6 be respected. Dis-procedure irregularity is
7 particularly concerning because it took
8 place during a meeting on congressional
9 reapportionment. The majority broke its own
10 rule. Let me restate that, the majority
11 broke its own rule, in order to get this
12 bill to the floor today.

13 And when we look at the map, you can
14 see why. It is because this map is
15 gerrymandered. It was drawn to elect six
16 Republicans and only one Democrat. It
17 cracked and packs African American
18 communities, thus diluting the power of
19 African Americans to -- African Americans to
20 influence elections. This map breaks up
21 counties and cities, in order to put as many
22 black folk, or black voters, into one
23 district. Look no further than the
24 Lowcountry. Look no further than Charleston
25 County. A county that is nearly one quarter

1 black. Rather than keep Charleston County
2 whole, as the people have Charleston have
3 testified again and again that they want,
4 this map splits the county. I was told in
5 committee on Monday, that the 1st
6 Congressional District is supposed to keep
7 coastal communities together in one
8 committee of interest. That makes sense to
9 me.

10 Why then does this map go out of its
11 way to remove coastal communities in
12 Charleston County? I think John's Island and
13 -- if I pronounce it right -- Wadmalaw
14 Island, have much more in coming with
15 Charleston and Beaufort than downtown
16 Columbia. Yet under this map, both of those
17 islands are in the same District as downtown
18 Columbia, more than 100 miles away.

19 As we vote for this map today, I would
20 have to vote against it. As I stated in
21 committee on Monday, it is apparent -- it is
22 apparent that if you look at the map, the
23 heavily African American areas were placed
24 in Congressional District 6 to ensure that
25 Republicans win six of the seven

1 congressional districts in this state. As
2 I've stated earlier, Congressional District
3 5 has no voice and no vote on these maps in
4 subcommittee. As I've state before, there
5 are members on Judiciary that are from
6 Congressional District 5, who were
7 overlooked I the past. Since we're looking
8 and have spoken about all day today by the
9 chairman, that we wanted to be as closely in
10 line with what we did in the past
11 reapportionment and redistricting process.
12 That process was done by the election
13 commiss-- committee of Judiciary. That was
14 not that -- that was not done this time.

15 So, if we look at what has happened
16 during this process, it is important for me
17 to point out that if you look at who the
18 senior member is, and who has gone through
19 the process on Judiciary before of
20 redistricting, that is myself. If you look
21 at the process, as to who sits on Election
22 Laws Subcommittee from the 5th Congressional
23 District, that is me, Representative John
24 King. There was very effort to keep me out
25 of the process, starting with the selection

1 of the Committee. Also, going into Judici--
2 Judiciary meeting on Monday, to circumvent
3 the rule where it says, "you shall, you
4 shall, upon the absence of the chair, the
5 vice chair chairs the Committee." To those
6 that are listening outside of the four walls
7 of these chambers, look and listen --

8 UNIDENTIFIED SPEAKER 12: That's right.

9 REPRESENTATIVE KING: -- to what I'm
10 saying. And they're saying that the process
11 is transparent, open, and honest. It has
12 not been. It has not been. The small
13 things that you all have done. The small
14 things that you have done has given this a
15 black eye, when you could have been above
16 board about the process. If the shoe fit,
17 wear it. Whoever needs to hear this, wear
18 it.

19 I cannot sit by and not say something
20 when you have blatantly disrespected me as a
21 member of this body. This is the most
22 important piece of legislation that we will
23 take up in this chamber, because this piece
24 of legislation -- and when I say
25 legislation, I'm talking about

1 reapportionment and redistricting -- will
2 affect generations. And those generations
3 have some of my bloodline in it. It has
4 some of my bloodline in it, because my
5 nieces, nephews, cousins, will have to live
6 with the decisions that we make. If we're
7 going to have rules, let's follow them. If
8 you don't follow the rules, why have them?
9 You came up here to fast track this piece of
10 legislation by having the chairwoman of
11 Rules come up here. But I go into
12 Judiciary, and the rules that we put in
13 place were not followed. I'm not even sure
14 if this piece of legislation can even come
15 to the floor, because the procedures of what
16 we are supposed to do in Judiciary, by the
17 rules, were not followed.

18 And the first thing that I was taught
19 when I was elected, and the speaker at that
20 time was Bobby Harrel, and we were in the
21 Block Building, and they brought us in for
22 orientation. Two things they told us, your
23 word is your bond, learn the rules and
24 you'll do well here. I've always tried to
25 be honest, where you may not agree with me,

1 but I tell you how I feel, and you don't
2 have to wonder. If you ask me something and
3 I give you an answer, you can take it to the
4 bank. I will not lie to you. I've tried to
5 learn the rules and respect the rules. And
6 it is disheartening, regardless of how you
7 may feel about me, it is disheartening when
8 you walk into a committee meeting, and the
9 rules are not followed, and you're
10 disrespected.

11 Mr. Speaker and colleagues, I'm
12 disappointed. I'm disappointed in my
13 colleagues, and Mr. Speaker, I would hope
14 that you as the leader of this chamber,
15 would ensure that the rules that are put in
16 place are followed. And let me say this,
17 this is by no way a jab at my colleague who
18 ran the meeting. And let me be very clear
19 here, he's more than capable of conducting
20 any meeting, but the process, and the rule
21 was not followed. And I don't take it
22 lightly, because it's not about me, it's
23 about this institution. And when we, as
24 members of this Chamber disregard the
25 established rules that we vote on and put

1 forth, it hurts this institution that we all
2 say we care and love.

3 So, while we may be up here voting for
4 these maps today, what do we send -- or what
5 message do we send to the general public
6 when we can't even follow the rules in which
7 we have established in our committees and in
8 this chamber? But we'll sit up here and
9 make laws to put people in jail when they
10 don't follow the rules of this state.

11 Mr. Speaker, I think it's dangerous. I
12 think it's dangerous when we have rules that
13 we circumvent to bring a congressional map
14 out here. But more importantly, a
15 congressional map that does nothing but
16 empowers one particular party for the next
17 10 years. Take away the race and how you
18 packed and cracked black districts, but more
19 importantly, why you made -- I -- I'm
20 concerned about every South Carolinian being
21 able to have an opportunity to run for which
22 ever party they run in, but have a fair
23 chance. A fair chance, and an opportunity
24 to run for office and not be voted down
25 before they even put the name as a

1 registered person to run for office.

2 It's not a good day in South Carolina,
3 it's a sad day in South Carolina. And
4 Representative Gilliard and I, a few years
5 ago, for the members who were not here,
6 when then Governor Nikki Haley made it a
7 part of her administration to have everyone
8 answer the phone, "it's a great day in South
9 Carolina." We put up a bill that said, "no,
10 it's not." It's not a great day in South
11 Carolina, and I'm not going to pretend like
12 it is. We've got children suffering in this
13 state. We've got old folk that can't even
14 keep their homes, because we're taxing them
15 out. And Wendy Brawley, Representative
16 Brawley, puts up something that would help
17 those folk, and we vote it down. But we'll
18 rush a bill that gives Republicans more
19 power in this state. We're fast to change
20 the rule when you're afraid of who maybe the
21 chair. All I have to do is follow the
22 rules, I have to conduct the meeting, what
23 more can I do? But you want to answer the
24 phones, "it's a great day in South
25 Carolina," when you have segments of this

1 community, of this state, who feel left out?
2 Who feel unappreciated? And we're up here
3 drawing maps that will affect people for
4 years to come, and then you wonder why
5 private loan don't want to move to South
6 Carolina? Or better yet, when we have
7 people who are here in South Carolina, who
8 want to stay here, they have to leave
9 because they don't have opportunities, or
10 they don't feel like they have
11 opportunities, to want to stay here.

12 We come up here every year and argue
13 about how many students come here from out
14 of state, and go to different institutions
15 around this state, and then they leave, and
16 we have given them scholarships and they
17 don't stay in South Carolina. It's because
18 of the craziness we do in this room. People
19 don't want to come to a state where we're
20 divided and can't do things right. People
21 are looking at us. I've been in South
22 Carolina my entire life, I love this state,
23 when I graduated from Morehouse, I had job
24 offers all over the country, as most men of
25 Morehouse have, because that's what they

1 pride themselves on.

2 UNIDENTIFIED SPEAKER 13: Excuse me.

3 REPRESENTATIVE KING: And while you may
4 laugh, honestly, they focus on that, career
5 planning and placement. But I chose to come
6 back home, because I love South Carolina.
7 South Carolina has been good to me, it's
8 been good to my family, but I can't say the
9 same for my nieces and my nephews in
10 reference to staying in this state.

11 We have to do better. And to vote for
12 these gerrymandered maps, which pack and
13 crack African American areas of this state,
14 it's not right. Absolutely, not right.
15 There's no way if you look at this map, you
16 can make Beaufort whole, go down, take all
17 the black folk, put them in Congressional
18 District 6. Crack it, divide it, whatever
19 you want to call it, so that you weaken the
20 voices of the people of District 1. All
21 because there's been a Democrat there
22 before, we've got to go in there and we've
23 got to make sure that no Democrat don't win
24 that congressional seat no more. Make it
25 competitive, as it was. Heck, a Democrat

1 had it, Republican had it. Then it went
2 back to the Republican. It was a
3 competitive district.

4 So, those that are listening, who are
5 preparing to sue South Carolina? Yes, this
6 is party driven lines. And how did they do
7 it? Cracked the black districts and packed,
8 and put them all in Congressional 6. Now, I
9 respect my congressman, but I think he needs
10 competition over in Congressional District
11 5. I believe that we all should have an
12 opportunity, regardless of if you are a
13 Democrat or Republican, to run for those
14 seats and not be counted out before you even
15 start. I'm pretty sure Congressman Clyburn
16 wouldn't mind giving up some black folk to
17 make other districts competitive in this
18 state, because he's under the belief that
19 he's done a great job. People have seen his
20 work, and they'll vote for him. But it
21 seems as if Republicans are afraid of
22 competition. Do your job, people vote for
23 you, regardless of if your Democrat or
24 Republican. There are some Democrats and
25 some Republicans that are in heavy

1 republican districts or democrat districts.
2 It's the person. But you all want to crack
3 and pack, in order to accomplish your goal
4 of 10 years of non-competitive districts.

5 Us today, maybe you tomorrow, because I
6 remember when South Carolina was a Democrat
7 state. And guess what, Democrats shared
8 power. But when it's time for someone to
9 serve as a chair, according to the rules,
10 Republicans change the rules. Without even
11 -- without two thirds vote of the Committee.
12 By just a written letter by one person, the
13 chair of the Committee. Remember, John
14 today, maybe you tomorrow. Because the
15 rules don't just affect me, it affects
16 everyone in this room. Every one of us in
17 this room. We got to live in this state
18 together, you all. We've got to start doing
19 what's right for the people of South
20 Carolina. And today was the day to start by
21 drawing fair maps, which allows every voice
22 to be heard in every district. Obviously,
23 the congressional people didn't care,
24 because when we asked Representative Jordan,
25 had any of them participated in the process,

1 they didn't say -- they didn't care, because
2 he said that no one reached out to him from
3 the congressional people. Unlike everyone
4 in this room, when it came down to our
5 districts, we were involved, because we
6 wanted to ensure that the communities of
7 interest stayed intact. Oh, they didn't
8 have to worry about it, because they knew
9 they was going to pack all the black folk in
10 Congressional 6. They were going to go down
11 into Charleston and crack it a little bit to
12 make Congressional 1 stronger for the
13 Republican. And they were assured once they
14 did that, all the rest of them were going to
15 be taken care of.

16 So, to answer your question, Ms.
17 McDaniel, the map started with Congressional
18 6. They had to make sure all the black folk
19 were put with Clyburn. Then they went
20 around that and created all the others. So,
21 that's how the map was created. They were
22 going to get you one Democrat. And how do
23 you do that? We crack and we pack. So,
24 while you may not know the answer, or they
25 may not give it to you, I can assure you,

1 that's how it was created. That was that
2 rule. The rule was, and the instructions
3 was, we got to get Jim Clyburn, Congressman
4 Clyburn out of the way, because then that
5 way we can get all the Republicans elected
6 across the other six congressional
7 districts. So, we're going to pack all the
8 black folk from Richland County and all over
9 into Congressional District 6. They -- I'm
10 surprised they didn't come to Fairfield,
11 because you all are heavily African
12 American. I guess they had to give
13 Congressman Norman just a little bit of
14 black folk.

15 So, as you continue this process, don't
16 think that people in this state are
17 delusional as to how this process has
18 faltered, has been -- has gone the way that
19 the Republicans were instructed to do it.
20 And because I'm vocal, they started there.
21 Senior member, only one been through
22 redistricting as a House member? No, no,
23 no, he isn't going to be on that committee,
24 talks too much. Come around -- see, let me
25 tell you about me, I'm honest, I know what

1 you say about me so it don't matter. And I
2 know I talk. But one thing people know in
3 House District 49 -- and my colleagues will
4 tell you, because I get on TV up there --
5 what I say here, I say it back home. When I
6 walk in places in my district? Go in some
7 of the store up there, they got my picture
8 up. Representative King in my district.
9 They trust me, because I'm always honest
10 with them. I have people who call me on my
11 phone and say, "Representative King, I don't
12 like how you voted, I isn't voting for you."
13 I said, "that's your prerogative, don't vote
14 for me." I don't come down here to be
15 elected for two more years. My time might
16 be out in June.

17 UNIDENTIFIED SPEAKER 12: That's right.

18 REPRESENTATIVE KING: But you're going
19 to know I've been here for the last 12 to 13
20 years. I'm going to leave a mark. And if I
21 get elected again, only God's grace. But
22 the two years that he has blessed me with,
23 I'm going to do what I have to do for my
24 constituency. So, yeah, until this process
25 change, and we are respected in this body,

1 we will never move forward in this state.
2 And I know you all have it in you to do the
3 right thing. But I'm glad I'm of a party --
4 and when I'm saying -- I'm talking about the
5 Democratic Party, I'm glad that Trav
6 (phonetic) know not to call me and tell me
7 how to vote. I'm glad I'm of a party that
8 doesn't put pressure on me and tell me I
9 have to tow the party line, because they
10 recognize that each one of their members who
11 sign up to run as a Democrat has a
12 constituency that they have to represent.

13 I'm sorry you all have to go through
14 that, because I wouldn't be of a party that
15 it had to be dic-- they have to be dictating
16 to me what I have -- what I can and cannot
17 do. That I can't be an individual. Because
18 I know from the conversations I have with
19 you all, and then I watch your vote, I know
20 that can't be who you really are. Because
21 you all are some good people up in here, but
22 some of you are controlled by the wrong
23 party, or the wrong people.

24 I don't get very religious up in here,
25 but it's times like this that hurt. But my

1 mother always says, before I leave to come
2 down here, she'll say, "John, it'll be all
3 right because the God we serve, --" I never
4 leave home without my mother praying,
5 silently, every morning. I walk downstairs,
6 I find my mom on her knees praying for each
7 one of her children. I'm baffled and hurt
8 that this elected body would disenfranchise
9 people of this state for at least the next
10 10 to twenty years. 10 years, the tables
11 could be turned. I've seen people up here
12 who have voted on bills, that have come back
13 and apologized, said "I was on the wrong
14 side." And I believe -- whole heartedly
15 believe, that some of you will be saying
16 that in the very near future.

17 Mr. Speaker, I'll take any questions if
18 there are any, but I want to thank you all
19 for listening to me.

20 SPEAKER LUCAS: Ms. Matthews, you have
21 a question? You're recognized.

22 REPRESENTATIVE MATTHEWS: Thank you,
23 Mr. Chair. Representative King, did you
24 know that when I heard what happened to you,
25 I was utterly disturbed? And I guess, the

1 first thing that came to my mind is the
2 question that I will ask you, is when that
3 happened did any one of the Republicans in
4 the room stand up and say, "this isn't
5 right, we need to do what is supposed to be
6 done?"

7 REPRESENTATIVE KING: Representative
8 Matthews, no one. No one. Rep-- no one
9 said anything.

10 SPEAKER LUCAS: Gilliard, did you have
11 a question, sir? Mr. Gilliard is
12 recognized.

13 REPRESENTATIVE GILLIARD: Thank you,
14 Mr. Speaker. Thank you. Is this on?

15 REPRESENTATIVE KING: Uh-uh, but I hear
16 you.

17 REPRESENTATIVE GILLIARD: Well, I want
18 everybody to hear me. One, two, thank you.
19 Mr. Speaker, I think of -- point of -- my
20 question is to you and the Clerk, Mr.
21 Speaker. Point of information, I have a
22 question?

23 SPEAKER LUCAS: Yes sir, Mr. Gilliard?

24 REPRESENTATIVE GILLIARD: Let's say
25 that what Representative King so eloquently

1 stated, that the parliament-- parliamentary
2 procedure was circumvented, is what I wanted
3 to say. Let's say that did happen. What's
4 the rules of the House for that committee
5 that when you look at S. 865, this Amendment
6 here, is this legit? If that by virtue of
7 what happened, as he stated in that
8 committee meeting? Because he was
9 overlooked, his responsibilities. So, the
10 procedure was broken at that point. So,
11 anything that came out of that committee,
12 during the -- that day, that particular day,
13 like Representative King stated, is this, S.
14 865 Amendment legit? Should we be
15 entertaining this? That's my question.

16 SPEAKER LUCAS: Okay. You raising that
17 question as a point, Mr. Gilliard?

18 REPRESENTATIVE GILLIARD: Yes, sir.

19 SPEAKER LUCAS: Okay, well here's my
20 understanding of the rule, and how it
21 applies. We have committees, and we have
22 the House floor, and we have rules for
23 committees, and we have rules for the House
24 floor. Mr. King, in his argument, is
25 referencing a rule, I believe, that refers

1 to the first Vice Chair. There are a couple
2 of rules that deal with the issue of who
3 presides in a committee meeting, and how
4 that can be monitored. Needless to say, a
5 committee enforces its own procedural
6 committee --

7 REPRESENTATIVE GILLIARD: Right.

8 SPEAKER LUCAS: -- rules. So, it's up
9 to that committee to deal with a procedural
10 violation, if it is raised in that
11 committee. Once it is dealt with, and it's
12 a procedural violation, then I can't deal
13 with it on the floor. So, if the argument
14 is that a procedural rule is broken in the
15 Judiciary Committee, can the Speaker of the
16 House somehow go down to the committee level
17 and rectify that? I cannot. So, that would
18 -- that motion would not be appropriate for
19 the floor, Mr. Gilliard.

20 REPRESENTATIVE GILLIARD: Okay.

21 SPEAKER LUCAS: Do you have a question
22 of me, Dr. Thigpen? Of Doc-- Mr. King?

23 REPRESENTATIVE THIGPEN: Yes, sir.

24 SPEAKER LUCAS: Dr. Thigpen?

25 REPRESENTATIVE THIGPEN: Thank you, Mr.

1 Speaker, for not only your explanation of
2 the rules, both of the Committee and the
3 House, but also for recognizing me for this
4 question for Representative King.

5 Representative King, I too, do you
6 know, was concerned about what took place in
7 Judiciary as I was there. Do you know that
8 I thought that you handled it well, with
9 great decency and civility, as I would
10 expect of you? Did you know that beyond
11 your personal concern, as it relates to not
12 only you, but this entire body, and what we
13 do moving forward, not even this particular
14 bill, rules, procedures, and our policies
15 that govern us -- our adhering to them, is
16 vitally important?

17 REPRESENTATIVE KING: Most definitely.

18 REPRESENTATIVE THIGPEN: Would you --

19 REPRESENTATIVE KING: And I -- let me -
20 - let me say this to you, my discussion of
21 the rule violation that happened on Monday
22 is not about me. I want to be very clear.
23 It's about this institution that we all say
24 we love. And if we have rules that are in
25 place regardless of who the person is, we

1 have an obligation to follow the rules.

2 REPRESENTATIVE THIGPEN: Would you
3 agree with me in saying that we all seek to
4 operate in good faith and not bad faith?

5 REPRESENTATIVE KING: Most definitely.

6 REPRESENTATIVE THIGPEN: That our
7 desire to come here is for the betterment
8 of, not only our state, but this body?

9 REPRESENTATIVE KING: Yes, sir.

10 REPRESENTATIVE THIGPEN: Would you
11 agree that rules not only protect the
12 person, but it even protects us from
13 ourselves, as well as protects the integrity
14 of the institution. Would you agree with
15 that?

16 REPRESENTATIVE KING: My point exactly.
17 So, I agree with you, and that's what I've
18 been trying to say in reference to ensuring
19 that we follow the rules, because of the
20 integrity of the institution.

21 REPRESENTATIVE THIGPEN: Would you
22 agree that rules serve the wheel of the
23 majority, but also seek to protect the
24 minority?

25 REPRESENTATIVE KING: That is what it's

1 supposed to do.

2 REPRESENTATIVE THIGPEN: In what took
3 place, and what we see happening now, my
4 concern, did you know, is that as we
5 decrease in number as the minority party,
6 that heavy becomes the mantle on the
7 majority party, to adhering to rules and
8 regulation. Not for the sake of me, or you,
9 or this legislative body, but particularly
10 for precedent that we set. Did you know
11 that?

12 REPRESENTATIVE KING: Yes.

13 REPRESENTATIVE THIGPEN: And as much as
14 I believe, and want to believe, and have
15 good faith in the intent of individuals
16 beyond the intentions, because good
17 intentions pave a great pathway to hell. It
18 must be the rules and the regulations, and
19 the policies and procedures that guide us,
20 so that at the end of the day, regardless of
21 whether we are Democrat or Republican, or
22 what position we hold, on any committee, it
23 is what allows us to rise above those
24 things, and do what is not only most
25 efficient, but what is in the best interest

1 of the wheel of the entire body. Did you
2 know that?

3 REPRESENTATIVE KING: Yes. Let me say
4 this to you, Dr. Thigpen. I still don't
5 understand why the rule was not followed.
6 As a member of the Judiciary Committee, if
7 I'm the chair, I have to still follow the
8 rules, I have to conduct the meeting in
9 order. And so, what bothers me, is if you -
10 - and I've stated this before, is the entire
11 process, if you look at it from my vantage
12 point, the entire process was to circumvent
13 any involvement of myself. Because if you
14 go back and look at how we have done
15 redistricting in the past, it was done
16 through election laws, in which I sat on.
17 Okay? Secondarily, we had one of my members
18 from my Congressional District, when -- in
19 which I respect and know he would have done
20 an amazing job, could not serve, for
21 whatever particular reason. Yet, they left
22 that seat vacant, after I've called and
23 inquired about being on redistricting and
24 reapportionment. Okay? So, let's put it out
25 there. Then I get to a meeting on Monday

1 where I'm supposed to serve as the chair,
2 because the chair was not there. A letter
3 from the Chair comes in, that says he
4 appoints another one of my colleagues.
5 Okay? According to any rules, I would
6 assume, to establish the rules, or to change
7 the rule, I think it takes two-thirds vote,
8 which did not happen in committee, which you
9 sat in on. A letter was written. So, what
10 I'm -- as you have stated, we have now set a
11 standard, because it was allowed.

12 REPRESENTATIVE THIGPEN: Well, did you
13 know that I too share in your alarm, I too
14 share in your concern. Did you know that I
15 want to thank you for taking the time to
16 come and address this? I also wanted to say
17 that I do understand that there are persons
18 who have different interpretations of rules.
19 Do you know that I also understand that
20 there were other remedies that were
21 available to the Committee to act, i.e. the
22 example that you just gave, that it could
23 have been brought to a two-thirds vote.

24 REPRESENTATIVE KING: Representative --

25 REPRESENTATIVE THIGPEN: And --

1 REPRESENTATIVE KING: -- Representative

2 --

3 REPRESENTATIVE THIGPEN: -- did you
4 know that they quite possibly could have
5 even had the two-thirds vote there.

6 REPRESENTATIVE KING: Representative
7 Thigpen, let me say this to you, I'm not
8 going to give people an out on
9 interpretation. Interpretation says,
10 "shall," S-H-A-L-L, okay? So, there is no
11 other interpretation but shall serve, okay?
12 So, if we are having people that can't
13 interpret, or understand the definition or
14 the meaning of shall, then we're in trouble
15 with this state.

16 REPRESENTATIVE THIGPEN: Well, I'll go
17 to my seat on this final question. Did you
18 know that what concerns me most is that when
19 presented, even though it was noted your
20 objection, we did not take an action, even
21 an action as to vote as to how the majority
22 at that point felt? And I do believe, did
23 you know, that the responsibility of
24 upholding the fairness, the good faith of
25 this body, is increasingly more and more on

1 the majority party as they gain more seats,
2 did you know that?

3 REPRESENTATIVE KING: Well, you mention
4 about gaining more seats, that was a part of
5 the cracking and packing in what we were
6 doing and what's happening up here. So, we
7 have issues. I will publicly state and put
8 in the record that I believe what we are
9 doing today should not even happen, based
10 on, we did not follow the rules of the
11 Committee. Which means you voted out a bill
12 where a fully constitutional -- or
13 constituted meeting didn't happen, because
14 the rules were not followed. And for those
15 attorneys that are waiting to sue South
16 Carolina for these maps, go pick up the
17 rules for the House Judiciary Committee, and
18 show that South Carolina didn't even follow
19 its own rules to conduct a meeting to even
20 discuss the congressional maps. So, as I
21 take my seat, I hope that the ones of you
22 who are in the chamber, who took your
23 responsibility, what your constituents sent
24 you down here for, I appreciate you standing
25 here and listening. Because we don't always

1 agree or like what the other person has to
2 say, but you stayed in here. And for those
3 Republican and Democrats that didn't? I hope
4 their constituents are looking at them.
5 This is the most important piece of
6 legislation that are doing, and members are
7 not even in this room. Regardless of you're
8 listening or not, people are watching you,
9 they see that you're in your seat. And
10 isn't that much talking in lobby, so you
11 can't go home and tell your constituents,
12 "Well, I was outside talking to a
13 constituent online," you've been gone all
14 day. So, I appreciate the ones of you that
15 have stayed in here, and you have listened
16 to my concern with the map, my concern with
17 the process. I appreciate you and I thank
18 you.

19 And Mr. Speaker, as we move forward,
20 and as we work together to try to make South
21 Carolina better, I hope that you will
22 encourage each one of us, regardless about
23 how we may feel about someone, to follow the
24 rules. Follow the rules that we have put in
25 place to conduct our meetings. Mr. Speaker,

1 it starts with the head. And I am asking
2 you, as my speaker, who I voted for, to
3 serve me and my colleagues, to ensure, so
4 that we can all work together to ensure that
5 the rules are followed, and that they are
6 fair, and interpreted not for your benefit,
7 for the benefit of the citizens of South
8 Carolina. Thank you, Mr. Speaker.

9 SPEAKER LUCAS: Thank you, Mr. King.
10 Ms. Brawley is recognized to speak on the
11 Amendment. Members, the pending question, -
12 -

13 REPRESENTATIVE COBB-HUNTER:
14 (Inaudible).

15 SPEAKER LUCAS: Ms. Cobb-Hunter? Ms.
16 Cobb-Hunter is recognized to be heard on
17 Amendment 1. Ms. Cobb-Hunter.

18 REPRESENTATIVE COBB-HUNTER: Thank you
19 so much, Mr. Speaker and members. I'm not
20 going to be here long, I just wanted to come
21 up and make sure that there was clarity on
22 the point and the questions that I raised
23 for Chairman Jordan regarding Section 2, and
24 whether an analysis had been done on the
25 Congressional District maps per Section 2 of

1 the Voting Rights Act. Let me back up and
2 remind you, for some of you who are not --
3 this is all new to you, there is something
4 called the Voting Rights Act that is being
5 fought in the Congress right now, which has
6 been around for decades, which has been
7 reauthorized for decades by Republican
8 Administrations, and Republican Presidents
9 signed it into law. We are at a point in
10 our history now where voter participation
11 seems to be of interest depending on who is
12 participating. What I am concerned about,
13 Mr. Speaker, in addition to all of the
14 points that have been raised by my
15 colleagues about the process, is the voter -
16 - the adherence to the voting rights act.
17 For those of you in here who are attorneys,
18 you may recall that there is something
19 called the 1965 voting rights act, which
20 protects the rights, mainly, of voters of
21 color, of handicap or disabled voters, and
22 people who have problems accessing the
23 polls. We used to have, prior to 2013,
24 before Chief Justice Roberts decided in his
25 infinite wisdom, along with the majority of

1 accord at that time, to remove section 5
2 from the Voting Rights Act. Section 5
3 required preclearance among other things.
4 And all that simply said is that before a
5 state could sign off or pass a vote -- a
6 redistricting plan, that it had to be
7 precleared by the department of justice.
8 When that was eliminated in 2013, that
9 pretty much, for all practical purposes
10 gutted the Voting Rights Act. But what it
11 did leave was Section 2. And when we talk
12 about tools in our tool kit, what it did
13 leave was one little lynchpin what people
14 who are concerned about access to voting
15 could hang their hat on. When I raised the
16 question with Mr. Jordan, about whether an
17 analysis of Section 2 had been done, and he
18 is a very skilled attorney, but I never
19 quite got a yes or no answer from him. And
20 so, from my perspective, if it's pretty
21 clear-cut, I think it's very easy to say,
22 "yes," or "no." The fact that I got a
23 lawyer's response, to me, suggests that
24 perhaps a Section 2 analysis had not been
25 done. Let me tell you why that is important

1 for purposes of this conversation. If there
2 is not a Section 2 analysis that has been
3 done, what that allows is for districts to
4 be cracked and packed. Mr. Speaker, could I
5 get a little order back in here? I know that
6 people aren't interested in what I have to
7 say, but I'm not going to be very long.

8 SPEAKER LUCAS: All right.

9 REPRESENTATIVE COBB-HUNTER: But when
10 I'm distracted by sounds it makes me talk
11 longer.

12 SPEAKER LUCAS: House -- House will be
13 in order. You're doing a good job, Ms.
14 Cobb-Hunter. They're doing a pretty good
15 job, but I'll see if I can get everybody to
16 keep their seats, keep their conversations
17 outside and not in the chamber. Ms. Cobb-
18 Hunter.

19 REPRESENTATIVE COBB-HUNTER: Thank you
20 so much, Mr. Speaker. You know, Mr.
21 Speaker, next session, we need to think
22 about what we can do about that little back
23 wall back there. I don't know if it's a
24 magnet or something, but it seems to attract
25 people in conversations. It's empty now,

1 but it's really distracting when you're up
2 here trying to make your point and you hear
3 a bunch of stuff. But thank you, Mr.
4 Speaker for getting order for me. Here's
5 the point I'm trying to make to you, when
6 Representative Matthews, following up on our
7 question to the chair, gave you the specific
8 areas, and the precincts, and the census
9 blocks in Charleston that had been shifted,
10 Mr. Speaker and members, it is clear that
11 whether we want to own it or not, there was
12 serious cracking and packing done in the 6th
13 Congressional District and the 1st
14 Congressional District. Without a Section 2
15 analysis, that gives the Committee and
16 thereby this body the authority to sign off
17 on that. Mr. King talked about process, a
18 committee process, what I would like you to
19 think about for future reference, is a
20 process as a whole. You may recall that
21 there is legislation right now in the
22 Judiciary Committee which would change the
23 way that we draw lines, and this entire
24 process. Whether we want to do it or not,
25 we, meaning those of us who were blessed and

1 highly favored enough to be in these chairs
2 and across the hall. Whether we want to or
3 not, a large portion of the public here in
4 South Carolina is interested in not having
5 politicians pick voters, but having voters
6 pick the politicians. And so, I offer that
7 to you in the for what it's worth
8 department, because Mr. Speaker, one of the
9 things that is most troubling about this
10 Amendment, and one of the main reasons that
11 it will be voting against this Amendment, is
12 because it eliminates, in my view, the
13 competitiveness of Congressional District 1.
14 What we've done, and Ms. Matthews was clear
15 in her annunciation of those precincts and
16 those census blocks that were in that --
17 that have been moved around. What we did,
18 in effect, was as move all the black people
19 out of Congressional District 1 that are in
20 Charleston County, and pack them into the
21 6th Congressional District. Because we
22 didn't do a Section 2 analysis, that allows
23 that to be done. What we've done, by saying
24 that we're going to, on one hand, keep
25 communities of interest together, goes back

1 to the point that Representative Kambrell
2 was making. It is unclear to me how we can
3 see commonality between Richland Northeast
4 and Charleston County. That's quite a
5 stretch and quite a distance. And I think
6 Mr. Kambrell, very eloquently, made that
7 point. And I would remind you all that we
8 need. To not just talk the talk, but walk
9 the walk, if we are serious about keeping
10 communities of interest together. And Mr.
11 Speaker, at the risk of blasphemy, let me
12 say that the Senate has shown us the way.
13 The Senate has today, as I understand it,
14 released a map that has Charleston County
15 and Beaufort County whole, and in one
16 district. So, this business about we
17 couldn't do it shouldn't be we couldn't do
18 it, we chose not to do it. And there is a
19 big difference. And so, Mr. Speaker, I
20 appreciate the patience that the members
21 have shown for the most part, except some
22 ppl who are just rude by nature and can't do
23 any better. But I really want us to
24 understand the gravity of what we are about
25 to do. And I would encourage those of you

1 who believe that we ought to have a
2 redistricting process that requires us to
3 speak to voters about issues that are
4 important to us. We need to have a
5 redistricting process that makes these seats
6 more competitive, and that's on both sides
7 of the isle. Because I'm a firm believer,
8 Mr. Speaker, that the seats belong to the
9 people not to individuals. And I know that
10 there are some of us on both sides of the
11 isle who get it twisted. Some of us think
12 of these seats as our seats, and they're
13 not. The seats belong to the people, the
14 people have a right to make a change at
15 whatever point they choose to do so. So, I
16 just wanted, as I pointed out, Mr. Speaker,
17 to stop by and say from this podium what was
18 attempting to say from my seat, and that is
19 without a Section 2 analysis, which I don't
20 think was done on this plan, that opened the
21 door for the Committee, whether intentional
22 or not, to crack and pack people of color
23 into a district that's already designated as
24 a district held by a person of color. So,
25 why do we need to add more people of color

1 to that district? What we in effect did, in
2 my opinion in this map, is to remove enough
3 voters of color from the 1st Congressional
4 District, and thereby affecting voters of
5 color in the 1st Congressional District to
6 be able to support a candidate of their
7 choice, or influence I should say, a
8 candidate who may be of a different
9 political party. And so, with those of you
10 who are here, and this is your first bite at
11 the apple, as far as redistricting is
12 concerned, I would encourage you, especially
13 those of you who are Democrats, who are more
14 likely Mr. Kambrell, to be here in ten
15 years, let this be a teachable moment for
16 you. Let this be an opportunity to learn
17 what not to do. And I would encourage
18 Democrats to look within its own caucus, to
19 look in the mirror, and before we start
20 (inaudible) pointing fingers at the
21 Republicans and what they did or didn't do
22 in this plan, we need to understand that a
23 person can't ride your back unless it's
24 bent. And if we don't have a strategy, if
25 we don't have the kind of leadership that

1 will bring us together, and arrive at a
2 common goal, than this is what's going to
3 happen. My final comments, again, is a
4 message that hopefully will be resonant with
5 you in eight years when we start doing this.
6 You ought to be now, and I'm talking
7 strictly to Democrats, here's how you
8 prevent all of this from becoming the major
9 issue that it is now, in my opinion. You
10 stop whining and complaining, and then get
11 off your butts and do some work. And what
12 do I mean by that? We know that the
13 redistricting is based on the census count.
14 We know that the previous administration did
15 everything they could to make sure that
16 people were not counted. We know that .And
17 what I've said to anybody who will listen,
18 we know what the problem is, we've seen it,
19 we experienced it. We need to learn from
20 this, Ms. McDaniel. And those of us who
21 call ourselves Democrats, instead of sitting
22 around, whining about what we think we've
23 lost, we need to be out here mobilizing with
24 community-based groups, getting the word
25 out, educating our communities about the

1 importance, Mr. Clyburn, of the census, and
2 responding to the census. Anything else is
3 a waste of time, a waste of energy, and a
4 waste of effort. And so, I leave you with
5 this challenge, those of you who will be
6 here in 2020, and Mr. Speaker, I'm looking
7 at these young Democrats who are in here,
8 Ms. Wetmore, and Ms. Johnson, and Mr.
9 Kambrell, and all of these good people. Ms.
10 (Inaudible) and Mr. Gilliard, you'll be here
11 too. You aren't as young as them, but I
12 just got faith that you're going to be here.
13 And so, I'm hoping you will lead the charge,
14 Mr. Gilliard, and remind these young people
15 of how important leadership is in everything
16 we do. Leadership matter, the lack of
17 leadership matters even more. And so, as I
18 take my seat, Mr. Speaker, thank you for
19 allowing me to come up, and to have my say.
20 I appreciate it, but I wanted to make sure
21 that I had an opportunity to explain to you
22 why I will be voting no on this Amendment.
23 Thank you so much, Mr. Speaker. I don't
24 think there are any questions, but I would
25 be more than happy to respond if there are.

1 I think everybody's probably ready to go.

2 Thank you, Mr. Speaker.

3 SPEAKER LUCAS: Thank you, Ms. Cobb-

4 Hunter. All right, members, pending

5 question is the adoption of Amendment 1.

6 All those in favor, --

7 REPRESENTATIVE COBB-HUNTER: Roll call.

8 SPEAKER LUCAS: -- Ms. Cobb-Hunter

9 requests a roll call, do nine members second

10 her request? Nine do, a roll call is

11 required and ordered. We'll vote on the

12 board. Again, the pending question is the

13 adoption of Amendment 1.

14 SPEAKER LUCAS: Time has expired.

15 Polls will close, clerk will tabulate, by a

16 vote of 73 to 35, Amendment 1 is adopted.

17 There being no further amendments on the

18 desk, Mr. -- Mr. Govan, for what purpose to

19 you rise? The pending question is passage of

20 Senate Bill 865 as amended. Mr. Govan has

21 asked to be heard on the Bill and is

22 recognized. House will be in order. Let's

23 give Mr. Govan your attention.

24 REPRESENTATIVE GOVAN: Thank you, Mr.

25 Speaker. Members of the House, I'm not

1 going to be very long, I think you have --
2 in fact, I'm not going to be long at all. I
3 think you've heard from my colleagues, in
4 terms of various arguments, in terms of with
5 the regards and the concerns about this
6 particular plan. But I would be remiss if I
7 not -- if I did not stand here and share
8 with you the ramifications in terms of what
9 we're about to do in terms of passing this
10 Amendment in lieu of what was said. And I
11 see now that we have more members who have
12 come in, who missed some very eloquent
13 points that were made by my colleagues.

14 SPEAKER LUCAS: Mr. Govan? Let me get
15 you to suspend a minute. House will come to
16 order. Mr. Govan, we're not going to start
17 back until we have order.

18 REPRESENTATIVE GOVAN: Thank you, Mr.
19 Speaker. And I think it's important -- I
20 think it's important for this body to really
21 understand why the concern was brought up
22 the way it was brought up. And why what we
23 are doing is important, because we are at a
24 critical point in the history, not of --
25 only of this state and nation, and which

1 individuals are becoming increasingly,
2 instead of coming together in good will and
3 making good public policy, we seem to be
4 getting caught up int eh weeds. And instead
5 of looking out for the people, we seem to be
6 caught up into the weeds of partisanship and
7 division. And just knowing some of the
8 people that I have -- I've had the pleasure
9 of meeting since being in this body, I know
10 all of you all don't feel that way, but we
11 are all kind of pushed one way or another in
12 terms of taking some of the positions that
13 we've had. But let me just very quickly say
14 this, and -- two points and I'll take my
15 seat, because I don't know how many more
16 opportunities, I'll have an opportunity to
17 stand at this podium.

18 But first and foremost, I want to speak
19 to the issue of my rep-- my good friend and
20 colleague, Representative King, who serves
21 on the House Judiciary Committee, who spoke
22 so eloquently about the rules. I'll never
23 forget, a good friend and former speaker of
24 this body, who I served under when he first
25 -- when I first arrived in this body in '92

1 -- I started serving in '93, at the
2 beginning of the session -- by the Bob
3 Sheheen, and he talked -- spoke so
4 eloquently, talking about the House of
5 Representatives and what it meant, and the
6 process. Never forgot that. And for those
7 who have never been through a
8 reapportionment, who have been here 10 years
9 or less, or maybe this is just your first --
10 those who have been here and this is for
11 first, this body is only as good as the
12 respect that we give one another, and show
13 one another.

14 And there's a reason why we have a
15 Rules Committee. There's a reason why this
16 House has rules that govern its actions, and
17 the decisions. There's a reason why if in
18 case many of you haven't noticed it, that
19 when a speaker just doesn't come up with a
20 ruling off the top of his head, and he turns
21 to the Clerk of the House, and there is a --
22 an -- a document in the back there of all of
23 the rulings by the Speaker of the House that
24 have been made in this body that they're
25 referred to, so that we can have consistency

1 in which the rules are applied. I don't
2 know if many of you all know that, but there
3 is a document back there that does that.
4 And we are blessed to have a clerk of the
5 House, who has been here long enough, that
6 is thoroughly familiar with most of that
7 back there, unless he has to refer to a
8 specific ruling by a previous speaker. That
9 allows consistency, and that allows this
10 body to operate in such a way that it should
11 be consistent in terms of the rules. And
12 so, it is the same way in terms of the
13 committees. And so, I don't want us to miss
14 out on this moment of understanding what
15 Representative King has shared with you.
16 And this is no disrespect to the current
17 chair, or anybody else in this body. But if
18 this body is not going to operate by the
19 rules that we set for ourselves, then what
20 is the use of adopting rules when we come
21 here at the beginning of the session, Ms.
22 Brawley? What is the ready for it then, if
23 we're not going to follow the rules?

24 The second thing is this, and I'll move
25 on from my colleague, Representative King.

1 I know what it's -- I know what it means to
2 feel disrespected in this body at the
3 committee level. And for Mr. King to serve
4 as first Vice Chair of the Committee, and
5 all of a sudden, for some reason, having
6 been elected to that position but not been
7 afforded to run a meeting, I can understand
8 how that feels. If that's the case, then
9 why have elected individuals in those
10 positions of any standing committee in this
11 body, or any other committee? Why have a
12 first Vice Chairman, or second Vice
13 Chairman? Why have these particular
14 individuals that are elected by you, members
15 of this body, if we're not going to afford
16 them the respect that we've elected them to
17 serve to allow them to serve. And so, for
18 those of you who heard what he said, I --
19 and I'm hoping that you weren't in the back
20 and not paying attention --that means every
21 person sitting in a committee, regardless of
22 whether they're a Democrat or Republican,
23 regardless of if they are black or white,
24 regardless of whether they are male or
25 female, the bottom line is all of us want to

1 feel respected, Mr. Williams. And you can't
2 cherry pick, you've got to be consistent.
3 And if you don't feel an individual can
4 handle that responsibility, why elect them
5 in the first place?

6 Now, I want to mention this because
7 we're on camera, and we have people all over
8 this state who look upon us to set the tone
9 and the example. You have students, you
10 have parents, and you have other
11 constituencies out there watching us, as
12 we're supposed to represent a body that is
13 supposed to lead. And if we can't lead by
14 example, then how can we truly call
15 ourselves leaders? And as someone once
16 said, "that's all I want to say about that."

17 My second and final point is this,
18 there are a few of us who consider ourselves
19 historians in this body, been around a
20 little while. But this whole debate and
21 argument about this plan, the passage of
22 this bill, let me tell you, over the past 50
23 years -- and these are facts, and I
24 challenge anybody if they want to question
25 it, to research it. The fact of the matter

1 is this, for the past 50 years, in the state
2 of South Carolina, the redistricting process
3 has required court intervention and
4 prolonged litigation. Let me say that
5 again, because I want you to understand
6 this. For the past 50 years, the way we
7 have handled this process has ended up in
8 court, because we didn't do it the right
9 way. And at some point, ladies and
10 gentlemen, this has got to stop. And there
11 are some of us who believe so much in this
12 body, even though there are many times we
13 end up on the short end of the stick. There
14 are some of us who still believe that this
15 process matters, that this body matters, and
16 that we have sacrificed in terms of time and
17 effort to come up here, regardless of
18 whether we win or lose on a vote, that this
19 service in this body -- that it's a
20 privilege, still matters. That democracy
21 works and this all still matters.

22 Let me give you an example, and let's
23 just go back quickly. In the year -- in the
24 2010 election cycle, did you know that it
25 took nearly four months to adjudicate the

1 redistricting plans in Backus v. South
2 Carolina? We ended up in court. Filed --
3 the lawsuit was filed in November, the court
4 held hearings on various motions to dismiss
5 it for a couple of months, and then held the
6 trial. That was just in 2000-- that's going
7 through the 2010 cycle. Well, what about 10
8 years prior to that?

9 Let's go back to 2000. South Carolina
10 House Judiciary Committee received the
11 census data, went through the process, and
12 after expedited discovery -- some of you all
13 remember that, I think some of you all had
14 just gotten here. We had a trial, the trial
15 ran for almost two months, and in March, the
16 court ended up issuing a remedial
17 redistricting plan to ensure that no further
18 elections were conducted under invalid
19 plans. That's what happened in 2010 -- I
20 mean, 2000.

21 1990, back when I was elected, in '92,
22 '93. Well, in '90, the census was put out
23 there, and we went through that process. It
24 was released in '91. However, much like
25 today, the legislature dropped the ball, and

1 so, without passing maps or a plan, or
2 creating a special session to do so, we dot
3 sued, the state got sued, and it ended up
4 that it wasn't until 1992, they moved the
5 date of the primary, they knew -- moved all
6 that. That's when I got elected,
7 Representative Clyburn. I'll never forget,
8 they drew the -- one map drew me in one
9 district, the other map, you know, drew the
10 line right by a railroad track, and we ran
11 for the House, and we've been here ever
12 since.

13 What about 1980? 1980, I'll never
14 forget, I was working across the hall there,
15 as a page in the Senate, and then in Senate
16 research. And we found a three-judge panel,
17 had to basically intervene and draw a plan
18 because of a lawsuit that was a filed at
19 that time by the NAACP. 1984, gave us, for
20 the first time in the history of this state,
21 since reconstruction, African Americans to
22 serve in the State Senate. And I'll never
23 forget the proud moment and day, that I.
24 DeQuincey Newman in 1984 became the first
25 African American to serve. And it was

1 especially significant for me, be there were
2 only two individual who worked in the
3 Gressette building that were African
4 American, that were not pages, and I'm proud
5 to have been one of them. And then, if you
6 go back to 1970. Of course, we all know
7 that in the 70s, with the litigation that
8 was filed, they gave African Americans a
9 presence in this body for the first time
10 since reconstruction.

11 So, the point is this, you know,
12 there's an old saying, and you all have
13 heard that staying it -- saying, I think
14 Albert Einstein was the one that came up
15 with it, if you keep on doing the same thing
16 over again, you're going to get, basically,
17 the same results. I got to believe, because
18 my time in this body is probably shorter
19 than it is longer. But if someone who
20 sacrifices -- who have committed his life to
21 serving this state, I got to believe that
22 we're going to work to -- we should be
23 working together to make this state as one -
24 - one of my colleagues said, "for a better
25 place for all of us." I got to believe that

1 the people that are coming out here, coming
2 up here, being sent up here are truly
3 committed to service all the people of South
4 Carolina, and that instead of regressing,
5 what we're committed to progressing. And
6 so, I don't know if that will change a whole
7 lot of minds, it probably won't, but I
8 wanted to get it off my chest, because we
9 can do better. If not us, then who? And if
10 not now, because it has to begin, when?
11 When? It's not about us, it's about the
12 people who have given us the honor and
13 privilege of serving. We should never
14 forget, not only where we come from, but
15 those whose shoulders we stand upon. Thank
16 you, Mr. Speaker.

17 SPEAKER LUCAS: Thank you, Mr. Govan.
18 Pending question, second reading of Senate
19 Bill 865, as amended by this body. Roll
20 call is required and ordered; we'll vote on
21 the board.

22 SPEAKER LUCAS: Ladies and gentlemen,
23 if the House will come to order, to my left
24 at the back of the chamber, under Thomas
25 Jefferson, I believe, is former member Mandy

1 Powers Norrell, let's welcome her back.

2 SPEAKER LUCAS: Polls will close, Clerk
3 will tabulate. By a vote of 74 to 35,
4 Senate Bill 865 is amended by the body,
5 receives second reading. All right,
6 members, House will come to order. If
7 you'll take your seat, we're about to get
8 out of here in just a moment. Please,
9 Sergeant, if you could assist me to get
10 members in their seat?

11 Members, we obviously -- we have some
12 very, very sad news about one of our
13 members, as you all noticed today,
14 Representative Robinson-Simpson --
15 Representative Robinson, excuse me, was not
16 here today. She has been out in California
17 with her son, Basheer, who has been battling
18 cancer. And she is back in Greenville now,
19 but I'm sorry to report that Basheer lost
20 his life. I can tell you that on the sad
21 days here are the days we lose members,
22 which has happened. I can remember at least
23 three occasions, where a member has lost a
24 child, and I don't think I can think of
25 anything sadder than that. So, what I would

1 ask you to do is to stand in memory of
2 Basheer Robinson, and let's silently go to
3 the Lord in prayer for Leola and her family.
4 Thank you all so much. Thank you to reach
5 out and touch Leola sometime over the
6 weekend and let her know we love her, and we
7 miss her. How sorry we are for her loss.

8 All right, members, I'm going to
9 entertain a motion tomorrow, remember we
10 came in at two today, we come in at 10 on
11 Thursdays -- continue to do that. So, that
12 being said, Mr. Taylor has moved that the
13 House adjourn to meet at 10 a.m. tomorrow.
14 All in favor say, "aye."

15 ALL: Aye.

16 SPEAKER LUCAS: Opposed, no? The aye's
17 have it.

18 (End of recording.)
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CERTIFICATE

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I, Alexandria Brobst, Transcriptionist,
do hereby certify that I was authorized to
and did listen to and transcribe the
foregoing recorded proceedings and that the
transcript is a true record to the best of
my professional ability.

Dated this 19th day of January, 2022.

Alexandria Brobst

Alexandria Brobst